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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

GILGIT-BALTISTAN LEGISLATIVE ASSEMBLY SECRETARIAT

Gilgit dated 18th August, 2014

THE GILGIT-BALTISTAN LOCAL GOVERNMENT ACT, 2014
(Act No III of 2014)

AN

ACT

Preamble.—WHEREAS it is expedient to establish an elected local government system to devolve political, administrative and financial responsibility and effective delivery of services through institutionalized participation of the people at local level;

It is enacted as follows:

Price: Rs. 83.50

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CHAPTER I

INTRODUCTION

1. Short title, extent and commencement.—(1) This Act may be called as the Gilgit-Baltistan Local Government Act, 2014, (Act No. III of 2014).

(2) It extends to the whole of the Gilgit-Baltistan.

(3) It shall come into force on such date as the Government may, by notification, appoint and different dates may be appointed for coming into force of different provisions *of* this Act for different areas.

2. Definitions.—In this Act:

(a) "Act" means the Gilgit-Baltistan Local Government Act, 2014;

(b) "Auditor-General of Gilgit-Baltistan" means Auditor-General of Pakistan;

(c) "Budget" means an official statement of income and expenditure of a Local Council for a financial year;

(d) "Building" means any manmade structure, shop, house, hut, outhouse, shed, stable or enclosure built of any material and used for any purpose and includes a wall, well, verandah, platform, plinth, ramp, stair-case and steps;

(e) "Building line" means a line beyond which the outer face or any part of an external wall of a building may not project in the direction of any street, existing or proposed;

(f) "Bye-laws" means bye-laws made under the Act;

(g) "Cattle" includes cows, buffaloes, bulls, oxen, bullocks, heifers, calves, camels, sheep, goats and others;

(h) "Chairman" means the Chairman of a Local Council;

(i) "Code" means the Code of Criminal Procedure, 1898 (V of 1898);

(j) "Conservancy" means the collection, treatment, removal and disposal of refuse;

(k) "Court" means a court established under the Code;

(l) "Dairy" includes any farm, cattle-shed, cow-house, milk store, milk shop or any other place from where milk or milk products are supplied for sale;

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(m) "District" means a Revenue District notified by the Government including its urban areas;

(n) "Drain" includes a sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel or any other device for carrying sludge or rain water;

(o) "Drug" means any substance used as medicine or used in the composition or preparation of medicine, whether for internal or external use;

(p) "Dwelling house" means any building used substantially for human habitation;

(q) "Election Commissioner" means the Election, Commissioner appointed by the Chief Election" Commissioner and includes Deputy Election' Commissioner.

(r) "Elector" means a person, whose name for the time being appears on the electoral rolls prepared or adapted for the purposes of election under the Act;

(s) "Food" includes every eatable used for food or drink by human beings but does not include drugs or water;

(t) "Function" includes powers to be exercised and duties to be discharged under this Act;

(u) "Government" means the Government of GilgitBaltistan;

(v) "Infectious disease" means cholera, plague, smallpox and tuberculosis, and includes such other disease as the Government may, by notification, declare to be an infectious disease for purposes of the Act;

(w) "Land" includes the land which is being built up or is built up or is covered with water or is under cultivation or is fallow;

(x) "Local Area" means the area under the jurisdiction of a Local Council.

(y) "Local Council" means a Union Council, a Town Committee, a Municipal Committee, a Tehsil Council, a District Council, a Municipal Corporation and a City Metropolitan Corporation constituted under this Act;

(z) "Local Government" means the Local Councils constituted under the Act;

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(aa) "Local Fund" means the fund of a Local Council;

(bb) "Market" means a place where persons assemble for the sale and purchase of meat, fish, fruit, vegetables or any other article of food or for the sale and purchase of livestock or animals and includes any place which may be notified as a market;

(cc) "Mayor" means the Mayor of the City Metropolitan _ Corporation;

(dd) "Member" means a member of a Local Council;

(ee) "Misconduct" means transgression of the prescribed code of conduct or dereliction of duty or deliberate unlawful behavior or violation of law or rules or lawful directions or orders of the Government and includes:

(i) Gross negligence in the performance of duties with manifest wrongful intent or evil design; or

(ii) An act that results in wrongful gain to any person by wrongful application of law; or

(iii) Making or managing appointment, promotion or transfer of an officer or official in violation of law or rules or for extraneous consideration; or

(iv) bribery, corruption, jobbery, favoritism, nepotism or willful diversion of the fund of the local government.

(ff) "Municipal offence" means an act or omission(punishable under the Act and includes an act or omission declared as municipal offence under any other law;

(gg) "Municipal services" include intra-City network of° sanitation, conservancy, removal and disposal of sludge, refuse, garbage, sewer or storm water, solid or liquid waste, drainage, public toilets, express ways bridges, flyovers, public roads, streets, foot paths, traffic signals, pavements and lighting thereof, public parks, gardens, graveyards, arboriculture, landscaping, billboards, hoardings, firefighting, land use control, zoning, master planning, classification declassification or reclassification of commercial or residential areas, markets, housing, urban or rural infrastructure, environment and construction, maintenance or development of these services and enforcement of any law relating to municipal services;

(hh) "Nuisance" includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance or offence to the

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sense of sight, smell or hearing or which is or may be dangerous to life or injurious to health or property;

(ii) "Occupier" means any person, for the time being, actual occupation of the land or building and includes an owner in actual occupation of the land or building;

(jj) "Owner" includes the person for the time being receiving the rent of land and buildings or either of them, whether on account of or as agent or trustee for any person or society or for any religious or charitable purpose or who would so receive the same if land or building was let to a tenant;

(kk) "Prescribed" means prescribed by the rules;

(ll) "Prohibited zone" means any area or areas within a Local Council declared as prohibited zone by a public notice by the local government for purposes of this Act;

(mm) "Public Road" means a road maintained by the government or by a Local Council or by any other local authority;

(nn) "Public Street" means a street maintained by the government or by a Local Council or by any other local authority;

(oo) "Public way" means a way maintained by the government or by a Local Council or by any other local authority;

(pp) "Public place" means any building, premises or place to which the public have access;

(qq) "Refuse" includes rubbish, offal, night-soil, carcasses of animals, deposits of sewerage, waste and any other offensive matter;

(rr) "Rent" means whatever is by law payable in money or kind by a tenant or lessee on account of the occupation of any building or land;

(ss) "Rural area" means the area of a District Council excluding urban area;

(tt) "Tehsil" means a Tehsil notified by the government;

(u) "Town" means an area declared as such under the Act;

(vv) "Union Council" means an area notified as a Union Council under this Act:

(ww) "Urban area" means an area within the jurisdiction of a City Metropolitan Corporation, a Municipal Corporation, a Municipal

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Committee or a town committee and includes any other area which the Government may, by notification, declare to be an urban area for the purposes of this Act;

(xx) "Vehicle" means a wheeled conveyance capable of being used on a road or street;

(yy) "Vice Chairman" means a Vice Chairman of a local council.

3. Local Councils to work within the framework of Gilgit-Baltistan Government.—(1) The Local Councils established under this Act shall function within the framework of Gilgit-Baltistan Government and shall observe the laws passed by the Federal Government and the Government of Gilgit-Baltistan.

(2) In the performance of their functions, the Local Councils shall not impede or prejudice the exercise of the executive authority of the Government.

4. Certain matters to be prescribed.—Where this Act makes any provision for anything to be done but has not made any provision as to the authority by whom or the manner in which it shall be done, then it shall be done by such authority and in such manner as the Government may direct.

CHAPTER II

LOCAL AREAS AND CONSTITUTION OF LOCAL GOVERNMENT

5. Local Areas.—(1) The Government shall, by notification in the official Gazette, devide each District into urban area and rural area.

(2) Government may, by notification in the official Gazette, after inviting public objections and suggestions, alter the limits of a local area and declare that any area shall cease to be a Union Council, Tehsil Council, District Council, Town Committee, Municipal Committee, Municipal Corporation or a City Metropolitan Corporation.

(3) The Government may by notification delegate any of its powers under sub-section (1) & (2) to the Chief Election Commissioner.

6. Constitution of Local Government.—(1) Subject to other provisions of this Act, the Local Councils constituted under this Act shall be:

(a) A City Metropolitan Corporation for Gilgit;

(b) A City Metropolitan Corporation for Skardu;

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(c) A Town Committee, a Municipal Committee or a Municipal Corporation for urban areas other than the cities of Gilgit and Skardu as notified by the Government;

(d) A Union Council, a Tehsil Council and a District Counci for rural areas.

(2) Notwithstanding anything contained to the contrary in other provisions of this Act, the Government may by a notification in the official Gazette, declare an integrated urban area:

(a) having a population of not less than **one Hundred Thousand** to be a City Metropolitan Corporation;

(b) having a population of not less than **Fifty Thousand** to be a Municipal Corporation;

(c) having a population of not less than **Thirty Thousand** to be a Municipal Committee; and

(d) having a population of not less than **Ten Thousand** to be a Town Committee.

(3) Government may, by notification in the official Gazette, specify the name by which a Local Council shall be known and unless so specified, it shall be known as a Local Council of the place where its office is situated.

(4) Save as otherwise provided by this Act, every Local Council shall be competent to acquire, hold or dispose off any property, moveable or immovable, to enter into contract and to sue and be sued in its name, through officers designated in this regard.

(5) Government shall prescribe rules of business for local government notifying structure and working of local government administration, groups of offices, allocation of business, appointment, posting, promotion and transfer of officers and officials, performance evaluation, channels of communication, coordination of Local Council's business, consultation between offices and incidental matters for smooth and efficient disposal of official business.

7. **Wards.**—For the purpose of Election to a Local Council, the area under its jurisdiction shall be divided in the following manner:

(i) **District Council, City Metropolitan Corporation, Municipal Corporation, Municipal Committee, Town Committee or Union Council:** Each District Council, City Metropolitan Corporation, Municipal Corporation, Municipal Committee, Town Committee or Union Council shall have as many single-member wards and would elect as many members as mentioned in the First Schedule.

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(ii) **Tehsil Council:** Each Tehsil Council shall consist of all the Chairmen of the Union Councils situated in the area of the Tehsil as its members and as many members elected on reserved seats as mentioned in the First Schedule.

8. Delimitation of Wards.—(1) Government shall, in the prescribed manner, delimit wards in District Councils, City Metropolitan Corporations, Municipal Corporations, Tehsil Councils, Municipal Committees, Town Committees, and Union Councils.

(2) For the purpose of delimitation of a Local Council, a ward shall, as far as possible, consist of a whole or part of a village, a census block or combination of adjoining villages or census blocks.

9. Waiver of Conditions.—The Government may, in a specific case and for reasons to be recorded in writing, waive the, conditions of delimitation.

CHAPTER III

COMPOSITION OF LOCAL COUNCILS

10. Composition of Local Councils.—A Local Council, except a Tehsil Council, shall consist of such number of directly and indirectly elected members as mentioned in the First Schedule.

11. Union Council.—(1) A Union Council shall consist of directly elected members and members indirectly elected against the reserved seats as mentioned in the First Schedule.

(2) The members against the reserved seats shall be elected by the directly elected members of the Union Council.

(3) The Chairman and Vice-Chairman of the Union Council shall be elected by the members of the Union Council as mentioned in sub-section (1) and (2), present and voting.

(4) The Chairman and the Vice-Chairman shall be from the directly elected members.

12. Tehsil Council.—(1) There shall be a Tehsil Council in a Tehsil consisting of all the elected Chairmen of the Union Councils situated in the Tehsil, as members, and members elected against reserved seats as mentioned in the First Schedule.

(2) The members against the reserved seats shall be elected by the members of the Tehsil Council as mentioned in sub-section (1).

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(3) The Chairman and Vice-Chairman of the Tehsil Council shall be elected by all the members mentioned in sub-section (1) and (2), present and voting.

13. District Council.—(1) There shall be a District Council in a District consisting of such number of directly elected members and members indirectly elected against reserved seats as mentioned in the First Schedule.

(2) The members against the reserved seats shall be elected by the directly elected members of the District Council.

(3) The Chairman and the Vice-Chairman of the District Council shall be elected by the members of the District Council, mentioned in sub-section (1) and (2), present and voting.

(4) The Chairman and Vice-Chairman shall be from the directly elected members.

(5) The Chairmen Municipal Committees, Chairmen Municipal Corporations, Mayor City Metropolitan Corporation and Chairmen Tehsil Councils, situated in the District, shall be ex-officio members of the District Council.

14. City Metropolitan Corporation and Municipal(Corporation.—(1) Each City Metropolitan Corporation and Municipal Corporation shall consist of as many directly elected members and members indirectly elected against reserved seats as mentioned in the First Schedule.

(2) The members against reserved seats shall be elected by the directly elected members of the City Metropolitan Corporation and Municipal Corporation, as the case may be.

(3) The Mayor and Deputy Mayor of a City Metropolitan Corporation and the Chairman and Vice Chairman of a Municipal Corporation, as the case may be, shall be elected by all the members mentioned in sub-section (1) and (2), present and voting.

(4) The Mayor and Deputy Mayor of a City Metropolitan Corporation and the Chairman and Vice Chairman of a Municipal Corporation, as the case may be, shall be from the directly elected members.

15. Municipal Committee and Town Committee.—(1) Each Municipal Committee and Town Committee, as the case may be, shall consist of as many directly elected members and members indirectly elected against reserved seats as mentioned in the First Schedule.

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(2) The members against reserved seats shall be elected by the directly elected members of the Municipal Committee and Town Committee, as the case may be.

(3) The Chairman and Vice-Chairman shall be elected by all the members mentioned in sub-section (1) and (2), present and voting.

(4) The Chairman and Vice-Chairman shall be from the directly elected members.

16. Election of members against reserved seats, Chairman, Vice Chairman and Mayor, Deputy Mayor of Local Councils.—The members of a Local Council shall, in the first session of the Local Council, to the exclusion of any other business, elect members against the reserved seats followed by the election of the Chairman, Vice Chairman, Mayor and Deputy Mayor of the Local Council, as the case may be, from amongst the members of the Local Council by majority of the members, present and voting.

17. Reserved seats.—(1) Each Local Council shall have 33% seats reserved for women.

(2) Keeping in view their population, each Local Council shall have seats reserved for non-Muslims as mentioned in the First Schedule.

(3) Notwithstanding anything contained in any other provision of this Act, the Chairman, Vice Chairman, Mayor and Deputy Mayor of a Local Council shall not be elected unless the reserved seats mentioned in sub-section (1) and (2) are filled and members elected against these seats are allowed to participate in the said election.

CHAPTER IV

LOCAL COUNCILS ELECTIONS

18. Franchise.—(1) The election to the Local Councils shall be held on party-basis as regulated by the Chief Election Commissioner.

(2) Save as otherwise provided, election of members of all Local Councils shall be held through secret ballot on the basis of adult franchise in such a manner as may be prescribed.

19. Chief Election Commissioner to conduct Elections.—(1) The office of the Chief Election Commissioner Gilgit-Baltistan shall conduct the Local Council elections.

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(2) The Chief Election Commissioner Gilgit-Baltistan may, by order, make provisions for the conduct of Local Council's elections if no provisions have been made under this Act or the rules.

(3) The Chief Election Commissioner may appoint an Election Commissioner for each district who shall be responsible for the organization, conduct and supervision of elections to the Local Councils and matters connected therewith.

20. Executive authority to assist the Chief Election Commissioner.—It shall be the duty of all executive authorities in Gilgit-Baltistan to assist the Chief Election Commissioner in the discharge of his functions under this Act.

21. Electoral Rolls.—(1) A person shall be entitled to be enrolled as a voter if he:

(a) is a citizen of Gilgit-Baltistan;

(b) is not less than eighteen years of age; and

(c) fulfills such other conditions as the Chief Election Commissioner may specify.

(2) The electoral rolls for the Local Council elections shall be prepared by the Chief Election Commissioner in such manner as he may deem appropriate and the electoral rolls shall not be invalid by reason of any erroneous description in the electoral rolls of any person listed or of an omission of the name of any person entitled to be enrolled or of inclusion of the name of any person not so entitled.

(3) Every person whose name is entered in the electoral roll shall be entitled to cast a vote at the direct elections of the Local Council where he is registered as a voter.

22. Appointment of the polling staff.—(1) Subject to sub-section (2), the Chief Election Commissioner shall appoint, from amongst the officers of the office of Chief Election Commissioner, the Government, a body or entity controlled by the Government, a Returning Officer and an Assistant Returning Officer for each constituency for the purpose of direct election under this Act.

(2) The Chief Election Commissioner may appoint a person as Returning Officer or Assistant Returning Officer for two or more constituencies.

(3) An Assistant Returning Officer shall assist the (Returning Officer in the performance of his functions under this Act and may, subject to such conditions as may be imposed by the Chief Election Commissioner, exercise and

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perform, under the control of the Returning Officer, the powers and functions of the Returning Officer.

(4) It shall be the duty of a Returning Officer to do all such acts as may be necessary for effectively conducting an election in accordance with the provisions of this Act and the rules.

23. Polling Station.—(1) The Returning Officer shall, before such time as the Chief Election Commissioner may fix, propose to the Chief Election Commissioner a list of polling stations for the constituency.

(2) The Chief Election Commissioner may make such alterations in the list of polling stations submitted under sub-section (1), as he may deem necessary, and shall forward to the Returning Officer the final list of the polling stations.

(3) The Returning Officer shall establish in each constituency polling stations according to the final list sent by the Chief Election Commissioner, specifying the electoral area and the voters of the electoral area who shall be entitled to vote at each polling station.

(4) A polling station shall not be located in any premises which belongs to or is under the control of any candidate.

24. Presiding Officer and Polling Officer.—(1) A 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.

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

(3) The Returning Officer shall submit a list of Presiding Officers and Polling Officers to the Chief Election Commissioner before the polling day for approval and no change in the personnel shall be made except with the approval of the Chief Election Commissioner.

(4) A Presiding Officer shall conduct the poll in accordance with the provisions of this Act and rules and shall be responsible for maintaining 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.

(5) 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 any other cause, not present at the polling station, or is unable to perform his functions.

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(6) 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 functions of the Officer so suspended.

25. Supply of Electoral Rolls.—(1) The Chief Election Commissioner shall provide the electoral rolls of the constituency to the Returning Officer.

(2) The Returning Officer shall provide the electoral rolls, containing the names of the voters entitled to vote at a polling station, to the Presiding Officer.

26. Other powers and functions of the Chief Election Commissioner.—In addition to the powers and functions of the Chief Election Commissioner under this Act, the Chief Election Commissioner shall, in relation to Local Council elections, exercise such other powers and perform such other functions as may be prescribed.

27. Qualifications and disqualifications for candidates and elected members.—(1) A person shall qualify to be elected as a member or to hold an elected office of a Local Council, if he:

(a) is a citizen of Gilgit-Baltistan;

(b) is not less than twenty five years of age on the last day fixed for filing the nomination papers; and

(c) is enrolled as a voter in the electoral rolls of Local Council.

(2) A person shall be disqualified from being elected as a member and from holding the office of an elected member of a Local Council, if:

(a) he ceases to be citizen of Gilgit-Baltistan; or

(b) he is declared by a competent court to be of unsound mind; or

(c) he is an un-discharged insolvent; or

(d) he is in the service of Federal Government, the Government or of a Local Council; or

(e) he is in the service of any statutory body or a body which is owned or controlled by the Government or Federal Government or local government or, in which any of such Government has a controlling

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share or interest, except the holders of elected public offices and part-time officials remunerated either by salary or fee:

Provided that in case of a person who has resigned or retired from any such service, a period of not less than two years has elapsed since his resignation or retirement; or

(f) he is under contract for work to be done or goods to be supplied to a Local Council or has otherwise any direct pecuniary interest in its affairs; or

(g) he has been dismissed, removed or compulsorily retired from public service on the grounds of misconduct, unless a period of three years has elapsed since his dismissal, removal or compulsory retirement; or

(h) he has been convicted by a court of competent jurisdiction for a term exceeding two years for an offence involving moral turpitude or misuse of power or authority under any law unless a period of three years has elapsed since his release; or

(i) he has been convicted for an offence involving activities prejudicial to the ideology, interest, security, unity, solidarity, peace and integrity of Pakistan unless a period of three years has elapsed since his release.

(3) If a person:

(a) is found by the Chief Election Commissioner to have contravened any provisions of sub-sections (1) or (2), he/ shall stand disqualified from being a candidate for election to any office of a Local Council for a period of four years; or

(b) has been elected as a member of a Local Council and is found by the Chief Election Commissioner to have contravened any provision of sub-sections (1) or (2), he shall cease forthwith to be an elected member or to hold the office of such member and shall stand disqualified from being a candidate for election to a Local Council for a period of four years.

28. Bar against dual membership.—(1) No person shall at the same time be a member of more than one Local Council.

(2) Nothing in sub-section (1) shall prevent a person from being a candidate for two or more seats whether in the same council or different councils but if he is elected to more than one seat, he shall, within a period of fifteen days of the declaration of the result of the last such seat, resign all but one of his seats by addressing a letter to the Chief Election Commissioner and if he does not so

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resign, he shall be deemed to have retained the seat to which he was elected last or, if he has been elected to more than one seat on the same day, the seat for election to which his nomination was last filed.

(3) Where a person has been elected to more than one seats in the same council or different councils, he shall not sit in any such council until he resigns all but one of his seats.

(4) Where an election for membership of two Local Councils is not held at the same time, nothing contained in sub-section(1) shall prevent a member of one council from being a candidate for a seat in another council but the seat held by him shall stand vacated as soon as he is elected to the new seat.

(5) If a member of a council is elected as a member of GilgitBaltistan Legislative Assembly, his seat as member of the council shall stand vacated on his taking oath as a member of the GilgitBaltistan Legislative Assembly.

(6) A Member of Gilgit-Baltistan Legislative Assembly, on being elected as a member of a Local Council, shall have to resign as a Member of Gilgit-Baltistan Legislative Assembly within a period of five weeks after his notification as a Member of a Local Council.

(7) A Chairman, a Vice Chairman, a Mayor or a Deputy Mayor may contest election for any other political office after resigning from the office of Chairman, Vice Chairman, Mayor or Deputy Mayor, as the case may be.

(8) Nothing in this section shall apply to bar a member of a Local Council to contest the election of Chairman, Vice Chairman, Mayor or Deputy Mayor of a Local Council.

29. Conduct of Elections.—The election to a Local Council shall be conducted in the prescribed manner under Local Government Election Rules framed from time to time.

30. Term of Office.—(1) Subject to this Act, the term of office of a Local Council shall be five years commencing from the date on which it holds its first meeting.

(2) The first meeting of a Local Council shall be hel not later than thirty days from the day on which the names of its members are notified.

(3) On the expiry of the term of office of a Local Council, the Government may appoint an administrator to perform the functions of the Local Council until the elected Local Council assumes office which period shall not exceed six months:

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Provided that the Government may, for reasons to be recorded, extend this period in special circumstances.

31. Oath of Office.—(1) A member shall, before taking his seat in a Local Council, make and subscribe to an oath in such form as may be prescribed.

(2) The Chairman, Vice Chairman, Mayor and Deputy Mayor shall assume office by making and subscribing to an oath in such form as may be prescribed.

32. Casual Vacancy.—(1) If the office of Chairman, Vice Chairman, Mayor or Deputy Mayor, as the case may be, for any reasons, falls vacant during the term of office of a Local Council, the new vacancy shall be filled in the prescribed manner within thirty days such a vacancy is notified and the new incumbent, subject to this Act, shall hold office for the remaining term of the Local Council.

(2) If the seat of an elected member becomes vacant during the term of office of a Local Council, a new member shall be elected within sixty days from the date the seat falls vacant and such member shall hold office for the remaining term.

(3) If the vacancy in the office of a member of a Local Council occurs within six months of the expiry of the term of a Local Council, the vacancy shall not be filled.

33. Removals.—(1) Where proceedings of disqualification have been initiated against a member, the Chief Election Commissioner or any officer authorized by him, may issue a notice to the member to show-cause within a specified period as to why proceedings against him may not be initiated for his removal for breach of any of the provisions of Section 27.

(2) Where the Chief Election Commissioner or an officer authorized by him is not satisfied with the reply to the notice referred to in sub-section (1) or any reply to the said notice is not filed within the period fixed by him, he may order for an enquiry in the matter and appoint an enquiry officer.

(3) On the basis of enquiry held under sub-section (2), the Chief Election Commissioner or an officer authorized by him may order the removal of the member.

34. Resignation.—(1) The Chairman, Vice Chairman, Mayor, Deputy Mayor or a member may resign his office by tendering resignation in writing under his hand to the Local Council of which he is the Chairman, Vice Chairman, Mayor, Deputy Mayor or a member.

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(2) The resignation tendered under sub-section (1) shall be deemed to have been accepted and effective forthwith and the Local Council shall forward copies of the resignation to the Chief Election Commissioner and the Government.

35. Vote of no-confidence.—(1) Subject to this section; the Chairman, Vice Chairman, Mayor or Deputy Mayor shall cease to hold office if a vote of no-confidence is passed against him in the prescribed manner by simple majority of the total number of members of the Local Council.

(2) A motion of no-confidence shall not be moved before the expiry of six months of his assumption of office as Chairman, Vice Chairman, Mayor or Deputy Mayor.

(3) Where a motion of no-confidence against the Chairman, Vice Chairman, Mayor or Deputy Mayor has been moved and fails for want of the requisite majority of votes in a meeting, no similar motion shall be moved against him before the expiry of six months from the date when such motion was moved.

36. Bar against re-election and re-appointment.—When a Chairman, Vice Chairman, Mayor or Deputy Mayor of a Local Council is removed from office on the ground of misconduct, he shall not, during the unexpired period of the term of that Local Council, be eligible for re-election.

37. Remuneration.—A Chairman, Vice Chairman, Mayor or Deputy Mayor may receive such remuneration as may be prescribed.

38. Notification of election, resignation and removal.—(1) Every election or removal of a member shall be notified by the Chief Election Commissioner.

(2) The Government shall notify:

(a) vacation of office owing to resignation or death of a member; and

(b) election, appointment or vacation of office of the Chairman, Vice Chairman, Mayor or Deputy Mayor owing to any cause.

39. Election petition.—(1) Subject to this Act, an election to an office of a Local Council shall not be called in question except by an election petition.

(2) A candidate may, in the prescribed manner, file an election petition before the Election Tribunal challenging an election under this Act.

40. Election Tribunal.—(1) The Chief Election Commissioner shall, by notification, appoint an Election Tribunal for such Local Area as may be specified in the notification.

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(2) The Chief Election Commissioner may transfer an election petition from one Election Tribunal to another Election Tribunal.

(3) Subject to the rules, the Chief Election Commissioner may, by notification, issue instructions for presentation, hearing and trial of an election petition.

(4) The Election Tribunal shall decide an election petition within one hundred and twenty days from the date of filing of the election petition.

41. Powers of Election Tribunal.—The Election Tribunal, while trying an election petition, may exercise powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (V of 1908) and shall be deemed to be a Court within the meaning sections 480 and 482 thereof.

42. Decision of the Election Tribunal.—(1) The Election Tribunal may, on the conclusion of trial of an election petition, make an order:

(a) dismissing the petition;

(b) declaring the election of the returned candidate to be void;

(c) declaring the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected; or

(d) declaring the election as a whole to be void.

(2) The decision of the Election Tribunal shall take effect from the date on which it is made and shall be communicated to the Chief Election Commissioner.

43. Ground for declaring election of returned Candidate void.—(1) The Election Tribunal shall declare the election of a returned candidate to be void if it is satisfied that:

(a) the nomination of the returned candidate was invalid; or

(b) the returned candidate was not, on the nomination day, qualified for or was disqualified from, being elected as a member; or

(c) the election of the returned candidate has been procured or induced by any corrupt or illegal practice; or

(d) corrupt or illegal practice has been committed by the returned candidate or his election agent or by any other person with the connivance of the candidate or his election agent.

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(2) The election of a returned candidate shall not be declared void if the Election Tribunal is satisfied that any corrupt or illegal practice was committed without the consent or connivance of that candidate or his election agent and that the candidate and the election agent took all reasonable precautions to prevent its commission.

44. Ground for declaring a person other than a Returned Candidate elected.—The Election Tribunal shall declare the election of the returned candidate to be void and the petitioner or any other contesting candidate to have been duly elected, if it is so claimed by the petitioner or any of the respondents and the Election Tribunal is satisfied that the petitioner or such contesting candidate was entitled to be declared elected.

45. Ground for declaring elections as a whole void.—The Election Tribunal shall declare the election as a whole to be voi if it is satisfied that the result of the election has been material affected by reasons of:

(a) the failure of any person to comply with the provisions of this Act or the rules; or

(b) the prevalence of extensive corrupt or illegal practice at the election.

46. Decision in case of equality of votes.—Where after the conclusion of the trial, it appears that there is an 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 Election Tribunal shall draw a lot in respect of such candidates and the candidate on whom the lot falls shall be deemed to have received the highest number of votes entitling him to be declared elected.

47. Appeal against the orders of Election Tribunal. —(1) Any person aggrieved by a final order of an Election Tribunal may, within thirty days of the communication of such order, prefer an appeal to the Chief Court Gilgit-Baltistan.

(2) The Chief Court shall decide an appeal preferred under sub-section (1) within three months.

48. Corrupt practice.—A person guilty of bribery, personating or undue influence shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to five hundred thousand rupees or with both.

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49. Bribery.—A person is guilty of bribery if he, directly or indirectly, by himself or by any other person on his behalf:

(a) receives, agrees or contracts for any gratification for voting or refrains from voting or refrains from being a candidate at or withdrawing or retiring from, an election;

(b) gives, offers or promises any gratification to any person for the purpose of—

(i) inducing a person to be or to refrain from being a candidate at an election; or

(ii) inducing a voter to vote or refrain from voting at an election; or

(iii) inducing a candidate to withdraw or retire from an election; or

(iv) rewarding a person for having been or for having refrained from being a candidate at an election; or

(v) rewarding a voter for having voted or refrained from voting at an election; or

(vi) rewarding a candidate for having withdrawn or retried from an election.

Explanation.—In this section, 'gratification' includes a gratification in money or estimable in money and all forms of entertainment or employment for reward.

50. Impersonating.—A person is guilty of impersonating, if he votes or applies for a ballot paper for voting as some other person whether that other person is living, dead or fictitious.

51. Undue influence.—A person is guilty of undue influence, if he:

(a) in order to compel any person to vote, refrain from voting, or to induce or compel any person to withdraw his candidature at an election, directly or indirectly, by himself or by any other person on his behalf—

(i) makes or threatens yo make use of any force. violence or restraint;

(ii) inflicts or threatens to inflict any injury, damage. harm or loss; or

(iii) uses any official influence or Governmental patronage; or

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(b) on account of any person having voted or refrained from voting, or having withdrawn his candidature, does any of the acts specified in clause (a); or

(c) by abduction, duress or any fraudulent device or contrivance—

(i) impedes or prevents the free exercise of the franchise by a voter; or

(ii) compels, induces or prevails upon any voter to refrain from voting or compels any voter to vote.

Explanation.—In this section, 'harm' includes social ostracism or excommunication or expulsion from any caste or community.

52. Illegal practice.—A person is guilty of illegal practice punishable with fine which may extend to fifty thousand rupees, if he:

(a) obtains or procures, or attempts to obtain or procure, the assistance of any officer or official of Federal Government, Government or a Local Council to further or hinder the election of a candidate;

(b) votes or applies for a ballot paper for voting at an election knowing that he is not qualified for voting or is disqualified from voting;

(c) votes or applies for a ballot paper for voting more than once at any polling station;

(d) removes a ballot paper or a ballot box from a polling station or destroys, damages or tampers with the ballot box used at a polling station;

(e) knowingly induces or procures any person to do any of the aforesaid acts;

(f) fails to provide statement of election expenses as required under this Act;

(g) makes or publishes a false statement—

(i) concerning the personal character of a candidate or his relations calculated to adversely affect the election of such candidate or for purposes of promoting or procuring the election of another candidate, unless he proves that he had reasonable ground for believing, and did believe, the statement to be true; or

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(ii) relating to the symbol of a candidate whether or not such symbol has been allocated to such candidate; or

(iii) regarding the withdrawal of a candidate;

(iv) knowingly, in order to support or oppose a candidate, lets, lends, employs, hires, borrows or uses any vehicle or vessel for purposes of conveying voters to or from the polling station except when a person conveys himself or any to member of the household to which he belong's to or from the polling station; or causes or attempts to cause any person present and waiting to vote at the polling station to depart without voting.

53. Prohibition of canvassing.—A person is guilty of an offence punishable with fine which may extend to ten thousand rupees, if he, on the polling day in connection with the election:

(a) convenes, calls or organizes within a ward any meeting; or

(b) within a radius of two hundred meters of the polling station-

(i) canvasses for votes;

(ii) solicits vote of any voter;

(iii) persuades any voter not to vote at the election or for a particular candidate; or

(iv) exhibits, except with the permission of the returning officer and at a place reserved for the candidate or his polling agent beyond the radius of one hundred meters of the polling station, any notice, sign, banner or flag designed to encourage the voters to vote, or discourage the voters from voting, for any contesting candidate.

54. Disorderly conduct near polling station.—A person is guilty of an offence punishable with imprisonment for a term which may extend to three months, or with fine which may extend to three thousand rupees or with both, if he:

(a) uses, in such manner as to be audible within the polling station any gramophone, megaphone, loudspeaker or other apparatus for reproducing or amplifying sounds; or

(b) persistently shouts in such manner as to be audible within the polling station; or

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(c) does any act which—

(i) disturbs or causes annoyance to any voter visiting a polling station for the purpose of voting; or

(ii) interferes with the performance of the duty of a presiding officer, polling officer or any other person performing any duty at a polling station; or

(d) abets the doing of any of the aforesaid acts.

55. Tampering with papers.—A person is guilty of an offence punishable with imprisonment for a term which may extend to six months or with fine which may extend to fifty thousand rupees or with both, if he:

(a) fraudulently defaces or destroys any nomination paper or ballot paper;

(b) fraudulently takes out of the polling station any ballot paper or puts into any ballot box any ballot paper other than the ballot paper he is authorized under the rules to put in;

(c) without due authority—

(i) supplies any ballot paper to any person;

(ii) destroys, takes, opens or otherwise interferes with any ballot box or packet or ballot papers in use for the purpose of election; or

(iii) breaks any seal affixed in accordance with the provisions of the rules; or

(d) causes any delay or interruption in the beginning, conduct or completion of the procedure required to be immediately carried out on the close of the poll; or

(e) fraudulently or without due authority attempts to do any of the aforesaid acts.

56. Interference with the secrecy of voting.—A person is guilty of an offence punishable with imprisonment which may extend to six months or with fine which may extend to twenty thousand rupees or with both, if he:

(a) interferes or attempts to interfere with a voter when he records his vote;

(b) in any manner obtains or attempts to obtain, in a polling station, information as to the candidate for whom a voter in that station is about to vote or has voted; or

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(c) communicates at any time any information obtained in a polling station about the candidate for whom a voter in that station is about to vote or has voted.

57. Failure to maintain secrecy.—Any candidate or polling agent attending a polling station, or any person attending the counting of votes, is guilty of an offence punishable with imprisonment which may extend to six months or with fine which may extend to twenty thousand rupees or with both, if he:

(a) fails to maintain or aid in maintaining the secrecy of voting; or

(b) communicates any information obtained at the counting of votes as to the candidate for whom any vote is given by any particular ballot paper.

58. Conduct of officials.—A presiding officer, polling officer or any other officer or official performing duty in connection with an election, or any member of a police force, is guilty of an offence punishable with imprisonment for a term which may extend to six months or with fine which may extend to twenty thousand rupees or with both, if he, during the conduct or management of an election or maintenance of order at the polling station:

(a) persuades any person to give his vote;

(b) dissuades any person from giving his vote;

(c) influences in any manner the voting of any person;

(d) does any other act calculated to further or hinder the election of a candidate;

(e) fails to maintain or aid in maintaining the secrecy of voting;

(f) communicates, except for any purpose authorised by any law, to any person before the poll is closed any information as to the name or number on the electoral roll of any voter who has or has not applied for a ballot paper, or has or has not voted at a polling station; or

(g) communicates any information obtained at the counting of-- votes as to the candidate for whom any vote is given by any particular ballot paper.

59. Breach of official duty in connection with election.—A Returning Officer, Assistant Returning Officer, Presiding Officer, Assistant Presiding Officer, or any other person employed by any such officer in connection with his

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official duties imposed by or under this Act is guilty of an offence punishable with imprisonment for a term which may extend to two years or with fine which may extend to fifty thousand rupees or with both, if he, wilfully and without reasonable cause, commits breach of any such official duty, by act or omission.

60. Summary of trial.—All offences under this Chapter except the offence under section 48 shall be tried summarily under the provisions of the Code.

61. Offence to be cognizable.—An offence punishable under section 48 shall be a cognizable offence.

62. Prosecution of offences under this Chapter.—(1) No court shall take cognizance of an offence under this chapter except on a complaint in writing by or under the authority of the Chief Election Commissioner.

(2) An offence punishable under this Chapter shall be tri-able by a Magistrate of first class.

CHAPTER V

EXECUTIVE POWERS AND CONDUCT OF BUSINESS

63. Executive authority and conduct of business.—(1) The executive authority of a Local Council shall extend to the doing of all acts necessary for the due discharge of its functions under this Act.

(2) Save as otherwise provided, the executive authority of a Local Council shall vest in and be exercised by its Chairman or Mayor.

(3) The Government may, by notification delegate any function of a Chairman to a Vice Chairman and Mayor to a Deputy Mayor subject to such conditions as may be prescribed in the notification.

(4) All acts of a Local Council, whether executive or otherwise, shall be expressed to be taken in the name of the Local Council and shall be authenticated in the manner prescribed.

(5) For each Local Council, except for a Union Council, the Government shall appoint a Chief Officer and such number of other officers as may be prescribed.

(6) The Chief Officer shall ensure the coordination between the Local Council and the other Local Councils in the District and the Government.

(7) The Chief Officer shall be responsible for ensuring adherence by the Local Council to all the laws and policies o the Government in the prescribed manner.

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64. Additional functions.—(1) The Government may, in the prescribed manner, devolve one or more of its functions to a Local Council for efficient service delivery to the citizens.

(2) In the performance of the functions mentioned in sub-section (1), a Local Council shall be bound by the directions of the Government.

(3) The Government shall, in the prescribed manner, provide technical support and fiscal resources required for carrying out the said functions by a Local Council.

65. Disposal of business.—(1) The business of a Local Council shall be conducted in the prescribed manner.

(2) Any proceedings or decision of a Local Council shall not be invalid merely because of a vacancy or defect in the membership of the local government.

(3) A Local Council may elect committees consisting of such number of its members and appoint other persons to perform such functions and in such manner, as may be prescribed.

66. Meetings.—(1) A Local Council shall, within three months of the assumption of office, frame bye-laws for the conduct of its meetings.

(2) A meeting of a Local Council shall be presided over by the Chairman or Mayor as the case maybe, and in his absence, by the Vice Chairman or a Deputy Mayor respectively and, in the absence of both, by a member chosen for that purpose by the members present.

(3) A Local Council shall hold at least one meeting during a month.

(4) A meeting of a Local Council shall be open to public except when a Local Council, by simple majority, decides to consider any matter in a session attended exclusively by its members and officials.

(5) The Chief Officer or an officer authorized by him shall record minutes of the meeting of a Local Council and submit the same to the person who presided the meeting for approval.

(6) The Chief Officer shall, after approval, issue the minutes of a meeting under his signatures.

(7) A member who, directly or indirectly, by himself or by any partner, employer or employee has any share or interest in respect of any matter or has

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acted professionally, in relation to any matter on behalf of any person having therein any share or interest as aforesaid, shall not vote or take any other part in any proceedings of the Local Council or any of its committees.

67. Commercial schemes.—A Council may, with the previous sanction of the Government, promote, administer, execute and implement schemes for undertaking any commercial or business enterprise.

68. Development plans.—(1) Subject to the rules made under this Act, a Council shall prepare and implement development plans which shall amongst other matters include the following:

(a) nature and location of the scheme;

(b) total estimated cost;

(c) sources of finances;

(d) date of commencement;

(e) date of completion;

(f) manner of execution;

(g) agencies responsible for maintenance;

(h) benefits, tangible or intangible to accrue;

(i) such other matters as maybe necessary.

(2) As far as may be, the schemes included in the development plan shall be included in the budget.

(3) The development plans in a Union Council, Tehsil, District or Division or in the Gilgit-Baltistan, may be consolidated in such manner as may be prescribed.

69. Contracts.—All contracts made by or on behalf of a Local Council shall be:

(a) in writing and expressed to be made in the name of the Local Council;

(b) executed in such manner as may be prescribed; and

(c) reported to the Local Council by the Chairman or Mayor, as the case may be, at the meeting next following the execution of the contract.

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70. Works.—A council may make bye-laws to lay down the procedure for:

(a) the agency or the authority by which such plans shall be executed;

(b) the preparation of plan and estimates for works to be executed by the council;

(c) the authority by whom and the conditions subject to which such plans and estimates shall be technically approved and administratively sanctioned; and

(d) the agency by which such plans and estimates shall be prepared.

71. Reporting and evaluation.—(1) A Local Council shall:

(a) maintain such record of its working as may be required by the Government;

(b) prepare and publish such periodical reports and-returns as may be required by the Government; and

(c) adopt such other measures as may be necessary for the publication of information about the working of the Local Council.

(2) Performance evaluation of officers and officials of the Local Councils shall be made in the prescribed manner.

CHAPTER VI

UNION COUNCILS

72. Union Council.—(1) The Chairman of a Union Council shall be the executive head of the Union Council and the Vice Chairman of the Union Council shall work as Chairman during the absence of the Chairman.

(2) A Chairman of a Union Council shall:

(a) provide leadership for Union-wide development and preparation of budget and the annual development plan;

(b) present the Budget in the Union Council;

(c) ensure that the business of Union Council is carried out strictly in accordance with this Act and other laws;

(d) represent the respective Union Council in the Tehsil Council: and

(e) report to the concerned authorities in respect of-

(i) encroachment on State or local government property and violation of land use and building laws, rules and bye-laws:

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(ii) sale and trade of dangerous and offensive articles as mentioned in Second Schedule;

(iii) environmental and health hazards; and

(iv) adulteration of articles of food.

(3) A Union Council Secretary, under the supervision of the Chairman, shall coordinate and facilitate delivery of municipal services.

73. **Responsibilities and functions of the Union Council.**—(1) A Union Council shall:

(a) approve the budget of the Union Council;

(b) approve tax or fee assigned to the Union Council;

(c) elect a Union Council Standing Committee on Development Planning from amongst the members of the Union Council to monitor development plannifimgs and allied matters;

(d) nominate members of Jirga Anjuman and monitor the performance of the Jirga Anjuman;

(e) provide for rural water supply schemes and public sources of drinking water, including wells, water pumps, tanks, ponds and other works for the supply of water and open drains;

(f) ensure participatory planning and coordination with the community organizations and line departments in execution and maintenance of rural water supply schemes in the prescribed manner;

(g) ensure integration of disaster risk reduction measures in the annual and five year development plans;

(h) support relief measures in the event of any fire, flood hailstorm, earthquake or other natural calamities and assisting relevant authorities in relief activities;

(i) regulate and maintain grazing areas, common meeting places and other common property;

(j) provide, improve and maintain public ways, public streets, public open spaces, graveyards, public gardens and playgrounds;

(k) arrange lighting of public ways, public streets and public places;

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(l) mobilize the community—

(i) for maintenance of public ways, public streets, culverts, bridges, public buildings and local drains;

(ii) for plantation of trees, landscaping and beautification of public places in the Union Council;

(iii) for prevention and removal of encroachments on public ways, streets and places;

(m) establish cattle pounds;

(n) hold fairs and recreational activities;

(o) provide for conservancy services in the Union Council;

(p) arrange for registration of births, deaths, marriages and divorces and pass on such information about births, deaths, marriages and divorces in the Union Council to such persons and institutions as may be prescribed;

(q) promote local sports and culture;

(r) provide for libraries and reading rooms;

(s) take other measures likely to promote the welfare, health, safety, comfort or convenience of the inhabitants of the Union Council;

(t) maintain such statistics and socio-economic baseline data as may be prescribed and disseminate information on matters of public interest;

(u) execute development works in the prescribed manner; and

(v) identify deficiencies in delivery of services and making recommendations for improvement of services to the District Council.

CHAPTER VII

TEHSIL COUNCILS

74. Powers and functions of Tehsil Council.—(1) The Chairman of a Tehsil Council shall:

(a) ensure efficient, effective and transparent functioning of the Tehsil Council;

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(b) ensure that the business of Tehsil Council is carried out strictly in accordance with the Act and other laws;

(c) ensure accomplishment of operational, developmental and financial objectives set by the Tehsil Council and the Government in accordance with provisions of the Act;

(d) exercise general supervision and control over officers of the Tehsil Council;

(e) guide and lead officers in achieving the goals and targets fixed by the Tehsil Council in an effective and efficient manner; and

(f) perform such other functions as the Tehsil Council may, by a general or special resolution, direct or as may be assigned by the Government.

(2) The Chairman Tehsil Council shall, in relation to above duties or for transaction of business of the Tehsil Council, exercise such powers as are conferred upon him under this Act or any other law.

75. Conduct of business of the Tehsil Council.—(1) The business of a Tehsil Council shall be conducted in such manner as may be prescribed.

(2) The Government may, in the prescribed manner, issue a schedule of establishment for a Tehsil Council and such schedule may include planning, finance, regulation and infrastructure of offices.

76. Functions of Tehsil Council.—The Tehsil Council shall:

(a) approve bye-laws;

(b) approve budget of the Tehsil Council including supplementary budgetary proposals and medium and short term development plans;

(c) review the performance of all offices working for the Tehsil Council;

(d) review the performance report presented by the Chairman;

(e) coordinate, oversee and report to the District Council the disaster risk reduction activities undertaken in the respective Tehsil;

(f) promote social counseling to inculcate civic and community spirit and motivate and galvanize the(general public for compliance with municipal laws, rules and bye-laws;

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(g) assisting Union Councils in provision, improvement and maintenance of public ways and streets, public open spaces. graveyards, public gardens, playgrounds - and farm to market roads;

(h) assisting Union Councils in provision and maintenance of rural water supply schemes and public sources of drinking water, including wells, water pumps, tanks, ponds and other works for the supply of water; and

(i) undertake other development activities assigned by, the respective District Council.

CHAPTER VIII

DISTRICT COUNCILS

77. **Functions of Chairman.**—(1) The Chairman of a District Council shall:

(a) ensure that the business of District Council is carried out strictly in accordance with this Act and other laws;

(b) ensure efficient, effective and transparent functioning of the District Council;

(c) ensure accomplishment of operational, developmental and financial objectives set by the District Council and the Government in accordance with provisions of this Art;

(d) Chair the multi-stakeholder consultations aiming to formulate sector policies of line departments and provide policy guidance;

(e) present tax proposals to the District Council;

(f) present report on the performance of the Tehsil and Union Councils situated in the district to the District Council at least once a year;

(g) issue executive orders to the Chief Officer;

(h) represent the District Council at civic, cultural or ceremonial functions;

(i) exercise general supervision and control over officers and functionaries of the District Council;

(j) guide and lead officers in achieving the goals and targets fixed by the District Council in an effective and efficient manner;

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(k) call for quarterly reports from government departments in the district and present them to the District Council; and

(l) perform such other functions as the District Council may, by a general or special resolution, direct or as may be assigned by the Government.

(2) The Chairman District Council shall, in relation to above duties or for transaction of business of the District Council, exercise such powers as are conferred upon him under this Act or any other law.

78. Conduct of the business of District Council.—(1) The business of a District Council shall be conducted in such manner as may be prescribed.

(2) The Government may, in the prescribed manner, issue a schedule of establishment for a District Council and such schedule may include planning, finance, regulation and infrastructure offices.

79. Functions of District Council.—The District Council shall:

(a) approve bye-laws and taxes;

(b) approve budget of the District Council including supplementary budgetary proposals and long term and short term development plans;

(c) elect a District Council Standing Committee on Development Planning from amongst the members of the District Council to monitor development planning and allied matters.

(d) elect a Standing Committee on Social Audit from amongst the members of the District Council to carry out performance evaluation in respect of achievement of goals and other social indicators by all the local councils and line departments working in the district;

(e) review the performance of all offices working for the District Council and the performance report presented by the Chairman; and

(f) promote social counseling to inculcate civic and community spirit, motivate and encourage the general public for compliance with municipal laws, rules and byelaws.

80. Other functions of District Council.—The District Council shall be responsible for performance of the following municipal functions:

(a) prevention and removal of encroachment on public ways, streets and properties;

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(b) prevention of nuisance in public ways, streets and properties;

(c) regulate dangerous and offensive articles and trades;

(d) prohibit or regulate the excavation and extraction of earth, sand, stones or other material;

(e) prohibit or regulate the establishment of brick kilns, potteries and other kilns;

(f) regulate the sale of cattle and other animals;

(g) celebration of public festivals;

(h) ensure integration of disaster risk reduction measures in the annual and five year development plans;

(i) assistance in provision of relief in the event of any fire, flood, hailstorm, earthquake or other natural calamities and assisting relevant authorities in relief and rehabilitation activities;

(j) provision of relief for the widows, orphans, poor persons in distress and children and persons with disabilities and vulnerabilities;

(k) promotion of sports including sports for persons of special needs;

(l) construction of culverts, bridges and public buildings;

(m) control over land-use, spatial planning, land- subdivision, land development and zoning by public and private sectors for any purpose, including for agriculture, industry, commerce markets, shopping and other employment centers, residential, recreation, parks, entertainment, passenger and / transport freight and transit stations;

(n) enforce all municipal laws, rules and bye-laws - regulating its functioning; and

(o) hold fairs and shows, promotion of public games and sports, celebration of national and local occasions.

(p) undertake other development activities.

81. Structure.—(1) The Chairman of a District Council shall be the executive head of the District Council and the Vice-Chairman shall work as Chairman during the absence of the Chairman.

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(2) The Chief Officer shall coordinate and facilitate the performance of functions assigned to the District Council under supervision of the Chairman.

82. Chief Officer.—(1) A Chief Officer shall be responsible for:

(a) coordination;

(b) human resource management;

(c) public relations;

(d) legal affairs; and

(e) emergency services.

(2) The Chief Officer, in carrying out his functions, shall:

(a) supervise and coordinate all offices of the District Council responsible for the provision of services;

(b) prepare a report on the planning and implementation of development plans of the local government for presentation to District Council in its budget session;

(c) ensure that the business of the District Council is carried out in accordance with law;

(d) ensure implementation of environmental and social safeguards;

(e) effect procurements, as prescribed, in accordance with law; and

(f) take action against violators of the provisions of the Act, rules or bye-laws.

83. Offices of District Council.—The Government may, in the prescribed manner, issue a schedule of establishment of offices for a District Council and such schedule may include planning, finance, municipal regulations and infrastructure offices.

CHAPTER IX

CITY METROPOLITAN CORPORATIONS, MUNICIPAL CORPORATIONS, MUNICIPAL COMMITTEES AND TOWN COMMITTEES

84. City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee.—(1) A City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee shall:

(a) prepare spatial plans for land use and zoning after due process of public hearing and inquiry:

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(b) execute and manage development plans;

(c) exercise control over land-use, land-subdivision, land development and zoning by public and private sectors for any purpose, including agriculture, industry, commerce markets, shopping and other employment centres, residential, recreation, parks, entertainment, passenger and transport freight and transit stations;

(d) provide, improve and maintain public open spaces, graveyards, public gardens and playgrounds;

(e) enforce all municipal laws, rules and bye-laws regulating its functions;

(f) regulate affixing of sign-boards and advertisements except where this function is being performed by any other authority;

(g) provide, operate, manage, and improve the municipal infrastructure and services, including—

(i) water supply, control and development of water resources;

(ii) sewage, sewage treatment and disposal;

(iii) storm water drainage;

(iv) sanitation and solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes;

(v) roads and streets;

(vi) traffic planning, engineering and management including traffic signaling systems, signs on roads, street markings, parking places, transport stations, stops, stands and terminals;

(vii) street lighting;

(viii) firefighting;

(ix) parks, playgrounds, open spaces and arboriculture;

(x) slaughter houses.

(h) establish cattle pounds;

(i) prevent and remove encroachments;

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(j) prepare budget, revised budget and long term municipal development programmes;

(k) maintain municipal records and archives and a comprehensive database of information and provide public access to it on nominal charges;

(l) approve taxes and fees under the Third Schedule;

(m) regulate dangerous and offensive articles and trades;

(n) collect approved taxes, fees, rates, rents, tolls, charges, fines and penalties;

(o) organize sports, cultural, recreational events, fairs and shows;

(p) organize cattle fairs and cattle markets;

(q) regulate markets and services and issue licenses, permits, grant permissions and impose penalties for violation thereof as and where applicable;

(r) manage properties, assets and funds vested in the local government;

(s) develop and manage schemes, including site development;

(t) authorize an officer or officers to issue notice to a person committing any municipal offence and initiate legal proceedings for continuance of commission of such offence or for failure to comply with the directions contained in such notice;

(u) prosecute, sue and follow up criminal, civil and recovery proceedings against violators of municipal laws in the courts of competent jurisdiction;

(v) registration of births, deaths, marriages and divorces and passing on such information about births, deaths, marriages and divorces in its territorial jurisdiction to such persons and institutions as may be prescribed;

(w) establish and maintain libraries and reading rooms;

(x) conserve historical and cultural assets;

(y) prepare financial statements and present them for internal and external audit in the prescribed manner; and

(z) undertake any other function as assigned to it by the Government under this Act.

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(2) The City Metropolitan Corporation, Municipal Corporation, Municipal Committee or Town Committee, as the case may be, may assign or outsource any of its functions on such terms and conditions as may be prescribed.

85. Structure.—(1) The Chairman or Mayor of a City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee, as the case may be, shall be the executive head of the City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee and the Vice Chairman or Deputy Mayor shall work as Chairman or Mayor during the absence of the Chairman or Mayor.

(2) The Chief Officer shall coordinate and facilitate the performance of functions assigned to the City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee under supervision of the Chairman or Mayor.

86. Chairman and Mayor.—(1) The Chairman or Mayor, as the case may be, shall:

(a) provide vision for development, leadership and direction for efficient functioning of the City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee;

(b) identify the needs of the local area and evaluate and prioritize them in the light of integrated development plans;

(c) recommend to the local government, the strategies, programmes and services to address prioritized needs;

(d) recommend or determine the best way to implement the strategies, programmes and services through partnerships, delegations, contracts and other means to the maximum benefit of the community;

(e) maintain administrative and financial discipline of the local government;

(f) prepare and present tax proposals to the Government;

(g) issue executive orders to the municipal offices for discharge of the functions;

(h) represent the local government on public, cultural and ceremonial occasions;

(i) present proposal to the local government for approval of budget and the revised budget; and

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(j) conduct inspections of municipal offices functioning under the local government.

(2) The Chairman or Mayor shall, in the performance of duties:

(a) identify and develop criteria and key performance indicators in terms of which progress of the implementation of the strategies, programmes and services can be evaluated;

(b) evaluate progress against the key performan indicators;

(c) review the performance of the local government in order to improve—

(i) Economy, efficiency and effectiveness;

(ii) efficiency of revenue collection services; and

(iii) implementation of the bye-laws;

(d) oversee formulation and execution of the annual and five year development plans, delivery of services functioning of the local government;

(e) present report on the performance of the local government to the house of the Local Council at least once a year; and

(f) perform such other duties and exercise such other powers as the local government may delegate.

87. **Chief Officer.**—(1) A Chief Officer shall be responsible for:

(a) coordination;

(b) human resource management;

(c) public relations;

(d) legal affairs; and

(e) emergency services.

(2) The Chief Officer, in carrying out his functions, shall:

(a) supervise and coordinate all municipal offices responsible for the provision of municipal services;

(b) prepare a report on the planning and implementation of development plans of the local government for presentation to the Local Council in its budget session;

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(c) ensure that the business of the local government is carried out in accordance with the law;

(d) ensure implementation of environmental and social safeguards;

(e) effect procurements, as prescribed, in accordance with law; and

(f) take action against violators punishable under this Act and the rules made thereunder.

88. Municipal Offices.—The Government may, in the prescribed manner, issue a schedule of establishment for a City Metropolitan Corporation, Municipal Corporation, Municipal Committee and Town Committee and such schedule may include planning, finance, municipal regulation and municipal infrastructure offices.

CHAPTER X

LOCAL GOVERNMENT FINANCE

89. Local Fund and Public Account.—(1) Each local government shall establish a Local Fund and all the revenues received by the local government from the following sources shall be credited to the Fund:

(a) the proceeds of taxes, tolls, fees, rates or charges levied by the local government;

(b) grants made to or monies received by the local government from the Government or other sources;

(c) rents and profits payable or accruing to the local government from immovable property vested in or controlled or managed by it;

(d) proceeds or any other profits from any investment;

(e) gifts, grants or contributions to the local government by individual or institutions;

(f) income accruing from markets or fairs regulated by the local government;

(g) fines and penalties imposed under this Act;

(h) proceeds from other sources of income which are placed at the disposal of the local government under the directions of the Government;

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(i) all monies transferred to the local government by the Government; and

(j) monies transferred by another local government under this Act.

(2) Every local government shall maintain a Public Account to place all revenues received by the local government from the following sources:

(a) receipts accruing from trusts administered or managed by the local government;

(b) refundable deposits received by the local government; and

(c) deferred liabilities.

(3) A Local Council may establish and maintain a separate account for any special purpose to which one or more sources of revenue mentioned in sub-section (1) or any part of these sources or any specified portion of the Local Fund may be assigned.

(4) The separate account under sub-section (3) shall be maintained, administered and regulated as if it was a Local Fund.

90. Custody of Local Fund and Public Account.—The monies credited to the Local Fund or the Public Account of a Local Council shall be kept and operated in an account of the local government in such manner as may be prescribed.

91. Charged expenditure.—(1) The following expenditure shall be charged upon the Local Fund:

(a) Employees related expenses;

(b) the money required for repayment of loans;

(c) the money required to satisfy any judgment, decree or award against the local government;

(d) the money that the local government may be required by the Government to contribute towards the conduct of local government elections and other deferred liabilities of the local government; and

(e) such other expenditure of local government as may be prescribed.

(2) If any expenditure is charged upon the Local Fund and is not paid, the Government may, by order, direct the person having the custody of the respective Local Fund to pay such amount from the Local Fund.

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92. Application of Local Fund.—(1) Monies credited to a Local Fund shall be expended in accordance with the annual budget and revised budget estimates approved by the local government.

(2) A Local Council shall not transfer monies to any other local government except by way of payment of debts, for carrying out deposit works or for such other purposes as may be prescribed.

(3) The application of Local Fund shall be subject to the budgetary constraints according to the minimum prescribed ratio of development and non-development expenditures.

(4) Where a new local government is to take over durial a financial year as a result of fresh elections, the outgoing local government shall not spend funds or make commitments for any expenditure under any demand for grant or appropriation in excess of eight percent per month of the budgeted funds for the remainder of its term in office in that financial year.

93. Budget.—(1) The annual budget for a Local Council shall contain estimates of:

(a) grants from the Government;

(b) amounts available in the Local Fund;

(c) receipts for the next year; and

(d) expenditures to be incurred for the next year.

(2) The Government shall, sufficiently before the beginning of each financial year, notify the provisional share, which may be credited to the Local Fund of a Local Council from the allocable amount.

(3) The functionaries of a Local Council may re-appropriate budget in accordance with the powers of re-appropriation delegated to them by the Local Council and at the end of the financial year, a revised budget shall be submitted to the Local Council for approval.

(4) A demand for a grant shall not be made except on the recommendation of the Chairman or Mayor, as the case may be.

(5) Conditional grants from the Government or other local governments shall be shown separately in the budget and shall be governed by the conditions on which such grants were made.

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(6) A Local Council shall prepare the budget in the prescribed manner and in accordance with the chart of accounts notified by the Auditor-General of Gilgit-Baltistan.

94. Approval of Budget.—(1) Before the commencement of the next financial year, the Chairman or Mayor, as the case may be, shall present the budget for consideration and approval of the Local Council and the Local Council may discuss the charged expenditure but shall not vote on such expenditure.

(2) The budget of a Local Council shall, subject to quorum, be approved by simple majority and the Local Council shall not take up any other business during the budget session.

(3) The Government may review approved budget of a Local Council, and if found contrary to the budget rules, may require the Local Council to rectify it.

(4) A budget shall not be approved if the sums required to meet estimated expenditure including previous liabilities and commitments exceed the estimated receipts.

(5) In case a budget is not approved by a Local Council before the commencement of the financial year to which it relates, the local government shall spend money under various objects, on pro-rata basis, in accordance with the budgetary provisions of the preceding financial year for a period not exceeding thirty days.

(6) A Local Council shall not spend funds or make commitments for any expenditure, under any demand for grant or appropriation, in excess of eight percent of the amount budgeted in the preceding year within the period of thirty days mentioned in sub-section (5).

(7) In case, a Local Council fails to pass the budget within the extended period as specified, the Government shall prepare, approve and authenticate the budget of the local government for full year.

(8) After approval of the budget by a Local Council, the Chairman or Mayor, as the case may be, shall authenticate under his signature a schedule specifying:

(a) grants made or deemed to have been made by the local government; and

(b) sums required to meet the expenditure charged upon the Local Fund.

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(9) The schedule authenticated shall be laid before the Local Council but shall not be open to discussion or vote.

(10) The said schedule shall be communicated to the local government functionaries, accounts officials and the Government.

(11) At any time before the expiry of the financial year to which the budget relates, a revised budget for the year may, if necessary, be prepared and such revised budget shall be approved in the manner as that of annual budget.

95. Honoraria and allowances.—A Local Council may, subject to the prescribed limitations, make budgetary provisions for honoraria and allowances of the Chairman, Vice Chairman, Mayor, Deputy Mayor or a member of the local government.

96. Accounts.—(1) The accounts of all receipts and expenditure of a Local Council shall be kept in such form and in accordance with such principles and methods as may be prescribed by the Auditor-General of Gilgit-Baltistan.

(2) The Union Council Secretary shall maintain the accounts of the Union Council.

(3) A Local Council shall not withdraw or disburse money from the Local Fund unless it is pre-audited in the prescribed manner.

(4) A copy of the annual statement of accounts shall be displayed at a conspicuous place in the office of the local government for public inspection and all objections or suggestions concerning such account received from the public shall be considered by the local government and appropriate decision shall be taken.

97. Audit.—(1) The Auditor-General of Gilgit-Baltistan shall, on the basis of such audit as he may consider appropriate or necessary, certify the accounts of a Local Council for each financial year.

(2) The Auditor-General shall audit the accounts of a Local Council in the form and manner as may be deemeds appropriate.

(3) The audit report of the Auditor-General shall be considered by the Public Accounts Committee of the diVieate Baltistan.

(4) If in the opinion of the Government, it is necessary in public interest to have a special audit of a Local Council: it may direct that such audit may be conducted by any audit agency.

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(5) After the receipt of special audit report of a Local Council, the Government may take appropriate action under the law.

98. Local Government Debt.—(1) A Local Council shall not incur any debt without previous approval of the Government.

(2) A Local Council may invest surplus funds, if any, in such securities and financial institutions, as may be approved by the Government.

CHAPTER XI

LOCAL GOVERNMENT FINANCE COMMISSION

99. Local Government Finance Commission.—The Government shall constitute Gilgit-Baltistan Local Government Finance Commission.

100. Composition of the Finance Commission.—The Local Government Finance Commission shall consist of the following members:

(a) Minister for Finance shall be the Chairperson;

(b) Minister for Local Government shall be the Co-Chairperson;

(c) two members of the Gilgit-Baltistan Legislative Assembly, one each nominated by the Leader of the House and the Leader of Opposition in the GilgitBaltistan Legislative Assembly;

(d) Secretary, Finance Department;

(e) Secretary, Planning and Development Department;

(f) Secretary, Local Government and Rural Development Department;

(g) two professional members from the private sector to be nominated by the Government on such terms and conditions as may be prescribed by the Government.

(h) One member from the Gilgit-Baltistan Local Government nominated by the heads of District Council.

(2) The Finance Department shall act as the Secretariat of the Finance Commission.

(3) A professional member may be removed or reappointed in the prescribed manner.

101. Functions of the Finance Commission.—(1) The Local Government Finance Commission shall make recommendations to the Government on a

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formula for resource distribution amongst the Local Councils and matters relating to local government finance referred to the Local Government Finance Commission by the Government or by a Local Council.

(2) The Government may make grant-in-aid to a Local Council and such grant shall not form part of the Government allocable amount.

(3) The Local Government Finance Commission may, before making recommendations, consult a body or person, and shall take into account the principles of population, underdeveloped, need and performance of a Local Council.

(4) The Government may approve or, for reasons to be recorded in writing, alter the recommendations of the Local Government Finance Commission and release the grants directly to the local government.

(5) The Local Government Finance Commission shalll take all decisions by majority of the members present and voting.

(6) The Local Government Finance Commission shall present to the Government annually a report on the analysis of the fiscal transfers, the situation of own-source revenue of the local governments and the reach and quality of their services and the Government shall cause the report to be laid before the Gilgit-Baltistan Legislative Assembly.

102. Powers of the Finance Commission.—(1) Nothing contained in this chapter shall be construed to impose limits on the powers of the Local Government Finance Commission under any law as regards calling for any infoimation relating to fiscal transfer foimula and transfer of funds and, for the purpose, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (V of 1908).

(2) The Government allocable amount and shares of the local governments shall be transferred on the basis of actual monthly receipts of the Government.

(3) The Local Government Finance Commission shall conduct its business in the prescribed manner.

CHAPTER XII

LOCAL GOVERNMENT TAXATION

103. Taxes to be levied.—(1) Subject to this Act, a Local Council , except Tehsil Council, may, by notification in the official Gazette, levy any tax, fee, rate rent, toll. charge or surcharge specified in the Third Schedule.

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(2) The Government shall vet the tax proposal prior to the approval of the tax by the local government in order to ensure that the proposal is reasonable and in accordance with law.

(3) The Government shall vet the tax proposal within thirty days from the date of receipt of the proposal failing which it shall be deemed to have been vetted by the Government.

(4) A Local Council shall not levy a tax without previous publication of the tax proposal and inviting and hearing public objections.

(5) A Local Council may, subject to provision of sub-section (1), increase, reduce, suspend, abolish or exempt any tax.

104. Collection of Taxes.—(1) A tax or fee levied under this Ac shall be collected in the prescribed manner:

(2) The Government may prescribe the mode of collection of a tax or a fee levied under this Act and for the purpose may combine tax or fee of two or more local governments with a stipulation for division of proceeds of the tax or fee.

(3) If a person fails to pay any tax or fee or any other money payable to a Local Council, the local government and, if so requested by the local government, the Government shall recover the tax, fee or other money as Government dues.

(4) The recovery of tax, fee or other money under sub-section (3) shall not absolve the person from prosecution for any offence under this Act or any other law.

105. Additional Additional powers of the Government.—(1), Notwithstanding anything contained in this Chapter, the Government may, by rules, determine the minimum rate of a tax or fee to be levied and collected by a Local Council.

(2) The Government may, for reasons to be recorded in writing and by notification in the official Gazette, grant exemption from the levy of any tax or fee of a Local Council for a specified period of not more than fifteen days on any special occasion or in order to alleviate the specific hardship suffered by people at large or a section of people.

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CHAPTER XIII

LOCAL GOVERNMENT RELATIONS

106. Relations between Government and Local Government.—(1) A Local Council shall collect such tax or taxes within its local area as the Government may direct and the local government shall, after the collection of such tax or taxes, deposit the receipts in the relevant Government account.

(2) The Government may issue directives and render advice to a Local Council for achieving the objectives of Government policy and for promoting economic, social and environmental security of Gilgit-Baltistan.

107. Powers of the Government.—(1) The Government may, on the recommendations of the Local Government Commission, issue directions to a Local Council and the local government shall be bound by such directions.

(2) Where the situation demands immediate action and the local government fails to comply with the directions given to it under sub-section (1), the Government may direct the officer authorized by it to take such action as the situation may necessitate.

108. Entrustment of functions to Local Government.—(1) When the Government requires a Local Council to perform any specific task beyond the budgetary provisions of the local government, the Government shall provide necessary resources to the local government.

(2) The local government may, with the consent of the(Government, entrust any of its functions to the Government or to any other local government.

(3) The Government may, with the consent of a Local (Council, decentralize any of its offices other than the offices already decentralized to the local government or entrust any of its functions to the local government and in that case the Government shall provide technical and administrative support and fiscal resources for the performance of such functions.

109. Local Government Commission.—(1) The Government shall appoint a Local Council Commission which shall consist of persons of integrity and good track record of public service.

(2) The Commission shall consist of the following:

(a) Minister for Local Government who shall be the Chairman;

(b) two members from general public, one each nominated by the leader of the House and leader of the Opposition in the Gilgit-Baltistan Legislative Academy;

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(c) two eminent, qualified and experienced technocrat members selected by the Government;

(d) one member from Gilgit-Baltistan local government nominated by the heads of District Council;

(e) Secretary, Local Government and Rural Development Department.

(3) The Secretary Local Government and Rural Development Department, Gilgit-Baltistan will be the Secretary of the Commission.

(4) The Local Government Commission may co-opt any official of the Government for any specific assignment.

(5) Subject to sub-section (6), the tenure of the members of the Local Government Commission, other than the Chairman and the Secretary, shall be five years.

(6) The Government may, after serving a notice and giving an opportunity of hearing, remove a member of the Commission for reasons to be recorded.

(7) In the event of a casual vacancy in the membership of the Commission, the Government shall, for the residual period, appoint another person of the same category as member of the Commission in accordance with the provisions of sub- section (1).

(8) The Local Government and Rural Development Department shall provide secretarial support to the Commission by establishing a separate Secretariat of the Commission with sections for each category of local governments.

(9) No act or proceedings of the Commission shall be invalid by reason or existence of any vacancy or defect in the constitution of the Commission.

(10) The Government shall provide a separate budget for the Commission in the annual budget.

(11) The Government shall notify the schedule of establishment of the Local Government Commission within one hundred and twenty days of coming into force of this Act.

(12) The Secretary of the Commission shall be the Principal Accounting Officer and the Commission shall have its own drawing and disbursing officer.

(13) The Government, its departments and agencies shall aid and assist the Commission in the performance of its functions.

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110. Functions of the Commission.—(1) The Commission shall:

(a) conduct annual and special inspections of the local governments and submit its reports to the Government;

(b) if so directed by the Government, conduct—

(i) an inquiry by itself or through any other agency about any matter concerning the local government; and

(ii) audit by itself or direct any other agency to conduct a special audit of any Local Council;

(c) resolve the disputes between any Department of the Government and the local government or between two or more Local Councils and if the Commission fails to settle the dispute, the aggrieved party may move to the Government for resolution of the dispute;

(d) enquire into the matters referred to it by the Government or a Chief Officer and give its decision on such matter;

(e) in coordination with Standing Committee on Social Audit conduct social and performance audit of a category of the local governments on the basis of specific performance indicators or through a third party and publish the report of such audit;

(f) submit to the Government an annual report on the over-all performance of the local government;

(g) take cognizance of violations of laws and rules by a Local Council in the performance of its functions; and

(h) in collaboration with Standing Committee on Development Planning organize consultative planning meetings of legislators, Mayors and Chairmen on periodic basis to provide their participation in development activities with regard to—

(i) consultative process of the annual and five years development plan;

(ii) formulating procedure for utilization of the Legislators' development grant;

(iii) assessing implementation of the decision of meetings and;

(iv) carrying out review of development schemes.

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(2) The decision of the Commission shall be binding on the local government failing which the Commission may report the matter with specific recommendations to the Government for an appropriate action.

(3) Where, on an inquiry under sub-section (1), the Mayor, Chairman, Deputy Mayor, Vice-Chairman or a member of a Local Council is found guilty of misconduct by the Commission, the Commission shall refer the case, along with inquiry report to the Chief Election Commissioner for appropriate action.

(4) The Commission may exercise the powers of a civil court under the Code of Civil Procedures, 1908 (V of 1908), in respect of the following matters:

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents;

(c) receiving evidence on affidavits; and

(d) issuing commission for the examination of witnesses.

111. Responsibility of the Commission.—The Local Government Commission shall be responsible to the Government.

CHAPTER XIV

LOCAL GOVERNMENT PROPERTY

112. Ownership of immoveable property.—(1) Subject to any condition made or any conditions imposed by the Government, the property specified below shall vest in the respective local government if it is:

(a) vested in the local government through inheritance.

(b) transferred to the local government by the Government or any other authority, organization or an individual;

(c) constructed or acquired by the local government with its title; and

(d) a road, street or any other immovable property developed by the local government for public purposes with express or implied consent of the owner.

(2) The successor local governments shall, subject to policy of the Government or contractual obligations, make byelaws for the use, development and management of the local government properties.

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(3) The Government shall not, except with the prior consent of the local government, transfer an immovable property vested in the local government.

113. Transfer of property by the Government.—Subject to such conditions as may be prescribed, the Government may, on its own accord or on a request by a local government, transfer the management of any Government or public property to it for administration as a trustee.

114. Stock taking by the Local Government.—(1) Every local government shall once in every year in July, take the physical stock of its movable and immovable properties and publish the report in the prescribed manner.

(2) The report referred to in sub-section (1) shall contain:

(a) particulars of the properties held during the preceding year;

(b) total value of the property, annual return there from and change in its value, if any;

(c) particulars of unserviceable articles;

(d) particulars of losses, if any; and

(e) proposal for utilization, development and improvement / during the following year.

115. Use of properties of Local Government.—(1) Thee properties of local governments shall be used only for public purposes.

(2) Subject to this section, a Local Council shall not sell or permanently alienate any of its immovable property.

(3) A Local Council may grant lease of its immovable property through competitive bidding by public auction in the prescribed manner.

(4) The Government may constitute a Committee headed by the Chief Officer of the local government to identify the encroached or redundant properties of a Local Council that may be sold in the prescribed manner with the approval of the Government and the funds generated from the sale of such properties shall be kept in a separate account and be used only for the development purpose.

(5) The movable property of a Local Council which is required to be disposed of shall be sold through competitive bidding by public auction.

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116. Acquisition of immoveable property.—(1) Whenever any Local Council considers it necessary or expedient it may acquire any immovable property for a public purpose.

(2) A Local Council may, in the prescribed manner, purchase an immovable property through an agreement when such property is required for a public purpose.

CHAPTER XV

OFFENCES AND ENFORCEMENT

117. Offences, Punishments and their Cognizance.—(1) The offences specified in Fourth and Fifth schedules shall be liable to punishment by way of imprisonment, fine, seizure, forfeiture, confiscation and impounding and such other penalties as are provided in this Act.

(2) If a person commits an offence specified in:

(a) Part-I of the Fourth Schedule, such person shall be punishable with imprisonment for a term which may extend to seven years, or with fine which may extend to five hundred thousand rupees or with both and where an accused was directed by the Inspector for immediate discontinuance of the offence, the Court may impose a further fine which may extend to fifty thousand rupees for every day for the period the accused has persisted with the offence from the date of its commission;

(b) Part-II of the Fourth Schedule, such person shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to one hundred thousand rupees or with both and where an accused was directed by the Inspector for immediate discontinuance of the offence, the Court may impose a further fine which may extend to ten thousand rupees for every day for the period the accused has persisted with the offence from the date of its commission;

(c) Part-III of the Fourth Schedule, such person shall be punishable with imprisonment which may extend to six months or fine which may extend to twenty five thousand rupees or with both and where an accused was directed by the Inspector for immediate discontinuance of the offence, the Court may impose a further fine which may extend to five hundred rupees for every day for the period the accused has persisted with the offence from the date of its commission; and

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(d) The Fifth Schedule, such person shall, in the first instance, be liable to fine by issuing a ticket specified in Sixth Schedule and where an accused repeats the offence within a period of three months for which the accused was subjected to fine, he shall be liable to the same punishment as provided in clause (c).

(3) The offences specified in clause (a) and (b) of sub-section (2) shall be cognizable and information in this regard shall be forwarded to the officer in charge of a police station by the Inspector after prior approval of the Chief Officer for registration of a case against the accused in accordance with the provisions of section 154 of the Code.

(4) A Court shall take cognizance of the offences specified in clause (c) of sub-section (2) on a complaint made in writing by the Inspector after prior approval of the Chief Officer in accordance with the provisions of section 200 of the Code.

(5) The offences specified in Part-III of the Fourth Schedule and the Fifth Schedule shall be tried in a summary manner in accordance with the provisions of section 260 to 265 of the Code but the limit of punishment mentioned in sub- section (2) of section 262 thereof shall not be applicable.

(6) The fines imposed by a Court for an offence specified in the Fourth Schedule shall on collection be deposited in the -Public Account of the local government.

(7) The Government may, by notification in the official Gazette, entrust to a Local Council the enforcement of any other law.

118. Appointment and control of Inspectors.—(1) The Chairman or Mayor, as the case may be, shall, with the approval of the Local Council, authorize the officials of the local government as Inspectors for reporting the commission of offences specified in the Fourth and Fifth Schedules.

(2) The Chairman or the Mayor, as the case may be, shall, with the approval of the Local Council, appoint a controlling authority as the administrative head of the Inspectors and the Inspectors shall report to the authority in respect of the enforcement of the provisions of this Chapter.

119. Imposition of Fine through ticketing.—(1) Notwithstanding anything contained in this Chapter, where any person, in the opinion of an Inspector, is contravening any provision of the law relating to the offences specified in the Fifth Schedule, the Inspector shall charge the accused by issuing a ticket in the prescribed form for payment of fine specified in the Fifth Schedule, if such offence has been committed for the first time by the accused within three months.

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(2) The ticket referred to in sub-section (1) shall be issued in quadruplicate by delivering three copies to the accused after obtaining his signatures or thumb impression on the fourth copy to be retained by the Inspector for record.

(3) The fine may be deposited in the bank account of the local government within ten days from the date of imposition of fine for credit in the Public Account of the local government.

(4) The person to whom a ticket has been issued under this section may either contest the imposition of fine within ten days from the date of the issuance of the ticket or deposit the fine within that period and provide a copy of payment receipt to the office of the local government.

120. Court proceedings for default in deposit of Fine.—(1) The controlling authority, appointed under Section 118(2) shall, on daily basis, provide a scroll of all unpaid tickets to the Court.

(2) The Court receiving the scroll shall issue summons to the accused forthwith stating date of hearing for summary trial in accordance with the provisions of section 260 to 265 of the Code but the limit of punishment mentioned in sub-section (2) of section 262 of the Code shall not be applicable.

(3) Where on the first date of hearing, the accused appears before the Court and produces the proof of deposit of fine, or unconditionally admitting his failure, deposits the fine forthwith along with the penalty which shall not be less than ten percent and not more than twenty five percent of the amount of fine determined by the Court in accordance with the procedure provided in sub-section (2) of section 388 of the Code, further proceedings against the accused may be dispensed with and no conviction shall be recorded against him.

(4) Upon the failure of the accused to appear before the Court in response to the summons issued by it, the Court shall forthwith issue warrants for arrest of the accused and upon issuance of such warrants the accused shall be liable to punishment under clause (b) of sub-section (2) of section 117.

121. Compounding of Offences.—Subject to this Act, a Local Council shall constitute a committee comprising of the Chairman or Mayor, as the case may be, as its Convener, an officer of the local government and a member of the Local Council as its members for compounding the offences in the prescribed manner.

122. Municipal Wardens.—(1) A Local Council, other than a Union Council, may, with the prior approval of the Government, establish and maintain Municipal Wardens in the prescribed manner.

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(2) The Government may specify the duties which such wardens may be required to perform.

123. General powers of Inspectors.—(1) In case of any serious threat to the public health, safety or welfare or danger to life and property, or where violation of any rule or bye-law is being committed, the Inspector may, in his area of jurisdiction, in addition to imposition of fine or initiating prosecution under this Act:

(a) suspend any work;

(b) seize the goods;

(c) seal the premises;

(d) demolish or remove work; or

(e) Issue directions for taking corrective measures within the specified time.

(2) An Inspector shall not enter any dwelling unit without permission of the occupier or the Court.

(3) An Inspector authorized under section 118 may, in relation to the offences specified in the Fourth Schedule:

(a) issue notices in writing on behalf of the local government;

(b) initiate legal proceedings in the Court; and

(c) assist in defending legal proceedings initiated against, the local government.

124. Rights of citizens not to be affected.—Nothing contained in this Chapter shall restrict or limit the right of the citizens or residents of a local area to bring any suit or other legal proceedings against any local government, its officers or other functionaries violating his rights provided by any law.

CHAPTER-XVI

LOCAL GOVERNMENT SERVICE

125. Servants of Local Councils.—(1) A Local Council may, and if so required by Government shall, on the prescribed terms and conditions, employ such servants as are deemed necessary for the efficient performance of its functions under this Act:

Provided that Government may classify certain posts in the prescribed manner as tenure posts and the term of such posts shall coincide with the term of the office of a Local Council.

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(2) If in the opinion of Government, the number of servants employed by a Local Council under sub-section (1) or the remuneration fixed for anyone of them, is excessive, the Local Council shall on being required by Government to do so, reduce the number of its servants or the remuneration of anyone of them, as the case may be.

126. Local Council Board.—(1) The government shall, within one hundred and twenty days of coming into force of this Act, constitute a board to be called the Local Council Board consisting of a chairman and not less than three and not more than five members to be appointed by Government on such terms and conditions as the Government may determine.

(2) The Secretary Local Government shall be *ex-officio* chairman of the Board.

(3) The Government shall appoint a secretary of the Board to deal with day to day administration of the Board and to perform such other functions as may be assigned to him by the Board.

(4) A Local Council shall contribute towards the expenditure of the Board an amount calculated at such rate as may, from time to time, be fixed by the Government and the accounts of the Board shall be maintained and audited in the prescribed manner.

(5) The Board shall:

(a) Make appointments, order transfers, take disciplinary actions and deal with other service matters in respect of the members of the prescribed Local Council service ; and

(b) Perform such other functions as may be prescribed.

(6) The business of the Board shall be conducted in such manner as may be prescribed.

127. Provident Fund, pension and other facilities for members of Local Council Service.—(1) A Local Council may establish and maintain a Provident Fund and require any of its servants to contribute to such fund, and may itself contribute to it in such manner and in such proportion, as may be prescribed.

(2) A Local Council may, in the prescribed manner, and with the previous sanction of Government, provide for the payment of pension to its servants after retirement.

(3) A Local Council may, with the pervious sanction cn Government, grant a special pension or gratuity to the family of a servant who dies of disease or injury contacted or suffered in the discharge of his official duties.

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(4) A Local Council may, in the prescribed manner, operate scheme of group insurance of its employees and require its employees to subscribe to it.

(5) Government may establish and maintain—

(a) A Pension Fund out of which shall be paid any pension granted under sub-section (2); and

(b) A Benevolent Fund out of which shall be paid any pension or gratuity granted under sub-section (3) or such relief as may be prescribed.

(6) The Local Council shall contribute to the funds established and maintained under sub-section (5) in such proportion and in such manner as may be specified by Government.

128. Service Rules.—Subject to the provisions of this Act, the Local Council Board may by rules prescribe for the employees of Local Councils:

(a) the terms and conditions of service;

(b) the scales or grades of pay;

(c) schedule of establishment of staff;

(d) qualifications for various posts;

(e) method of enquiry for disciplinary action if any, penalties and appeals thereof; and

(f) matter ancillary thereto;

Provided that unless such rules are prescribed, the employees shall be governed by the rules prescribed for the employees of the Government.

129. Administration of Local Council Service.—Until otherwise decided by the Government, the administration of officers and officials of Local Councils in the local government service shall vest in the Local Council Board.

CHAPTER XVII

CONSTITUTION OF JIRGA ANJUMAN

130. Constitution of Jirga Anjuman.—(1) In every Union Council, Municipal Committee and Municipal Corporation a Jirga Anjuman shall be constituted from amongst its members within thirty days of its first meeting.

(2) The Anjuman shall consist of a panel of three members with at least one woman member:

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Provided that the Chairman and Vice-Chairman shall not be members of the Anjuman.

(3) One of the members of the Anjuman shall be nominated as convener of the Anjuman paying regard to the seniority in age.

(4) Any casual vacancy of a member of the Anjuman shall be filled by the Union Council or Municipal Committee, as the case may be, as soon as practicable, after the occurrence thereof.

(5) The members of the Anjuman shall be selected for the term of the Union Council or Municipal Committee, as the case may be, or until replaced earlier.

(6) Where in the opinion of the Union Council or Municipal Committee, as the case may be, a member of the Anjuman is accused of consistent partiality and malpractices in the performance of his functions, the Union Council or Municipal Committee, as the case may be, may, subject to notice to show cause, remove such member and select another member in his place.

131. Amicable settlement of disputes.—(1) The Chairman and members of the Union Council or Municipal Committee, as the case may be and the members of the Anjuman shall use their good offices to achieve amicable settlement of disputes amongst the people in the area through mediation, conciliation and arbitration, whether or not any proceedings have been instituted in a court of law in respect of such disputes:

Provided that such efforts shall be carried out in those cases where all the parties to the dispute agree thereto and no fee shall be charged for such settlement.

(2) In bringing parties to a dispute to an amicable settlement, the Anjuman shall have regard to the provisions of section 345 of the Code, Hadood laws and all other laws for the time being in force where under certain offences are not compoundable:

Provided that every settlement brought by the Anjuman in a case pending before a Court shall be subject to the approval of such Court.

Explanation—For the purpose of this Section the expression `dispute' relates to disputes amongst the individuals whether of civil or criminal nature.

132. Courts may refer cases to Jirga Anjuman.—(1) Any court of competent jurisdiction may, in a case where it deems appropriate, refer a matter to the Anjuman through the Chairman for settlement.

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(2) The court making a reference to the Anjuman for settlement of a dispute under sub-section (1) may lay down the procedure for summoning the parties to the dispute, the terms of reference, the period during which settlement is to be made, the manner in which report of the settlement is to be submitted and such other matters as it may deem appropriate for resolution of the dispute.

(3) Where on a reference made by the court under sub-section (1), the dispute is settled between the parties, the court may make such settlement as the rule of the court.

(4) The Anjuman shall inform the court if the dispute is not settled within the time fixed by the court or, may ask for extension in time for settlement of the dispute.

133. Appointment of conciliator for individual cases.—Where in a dispute the parties request for appointment of a person other than the members of the Anjuman as a Conciliator, the Chairman may, in consultation with the Union Council or Municipal Committee , as the case may be , appoint such person as a co-opted member of the Anjuman for that case.

134. Procedure for settlement of disputes.—(1) The Convener of the Anjuman selected under section 130 shall:

(a) convene meetings of the Anjuman as necessary and at such place,or places as he considers appropriate; and

(b) conduct the proceedings in an informal manner with the object to bring an amicable settlement among the parties.

(2) No legal practitioner shall be permitted to take part in the proceedings on behalf of any party.

(3) The report of the Anjuman shall be recorded in writing and copies thereof attested by the Secretary of the Union Council or Municipal Committee, as the case may be, shall be provided to the parties, free of cost.

CHAPTER XVIII

MISCELLANEOUS

135. Right to Information.—(1) Subject to any reasonable restriction imposed through rules, any citizen may seek any information in possession of a Local Council.

(2) Every designated functionary of a Local Council shall, within seven days of an application, provide requisite information to the applicant on payment of such fee as may be prescribed.

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(3) A Local Council shall, on quarterly basis, publish on its website or at a prominent place information about the staffing and the performance of the offices of the local government during the preceding three months.

(4) A Local Council shall maintain records in the prescribed manner with the special emphasis on electronic record keeping.

136. Municipal Entities.—(1) A Local Council other than a Union Council, with the approval of the Government, may establish an authority, agency or company answerable to the local government for the performance of municipal functions.

(2) A Local Council, other than a Union Council may, with the approval of the Government and in coordination with any other local government, establish an authority, agency or a company for an area covering more than one local government.

(3) An authority established under this section shall be subject to such control as may be prescribed.

137. Appeals.—A person aggrieved by any order passed by a Local Council or its functionaries may prefer an appeal to such authority, in such manner and within such time as may be prescribed and an order passed in appeal shall be final.

138. Power to make Rules.—(1) The Government may, subject to previous publication and by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the fore-going powers, such rules may provide for all or any of the matters specified in Part- I of Seventh Schedule.

(3) The rules made under sub-section (1) shall meet the following considerations:

(a) consistency with democratic de-centralization;

(b) accountable and representative governance;

(c) participatory decision making;

(d) enhancement of welfare of the people;

(e) fairness and clarity; and

(f) natural justice and due process of law.

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139. Bye-Laws.—(1) A Local Council may, and if required by the Government shall, make bye-laws not inconsistent with this Act and the rules to give effect to the provisions of this Act.

(2) The bye-laws made by a Local Council shall come into force from the date the bye-laws are published in the official Gazette or on the website specified by the Government.

(3) In particular and without prejudice to the generality of the foregoing power, the bye-laws may provide for all or any of the matters specified in Part-II of the Seventh Schedule.

140. Delegation of powers.—(1) The Government may, subject to such conditions as may be specified, delegate any of its functions under this Act to an officer subordinate to it.

(2) Subject to the rules, a Local Council may delegate any of its powers, including financial powers under this Act or rules or bye laws to the Mayor, Chairman, Deputy Mayor or Vice Chairman, or any of its members or officers and subject to such restrictions or conditions as it may deem fit, except the powers to make bye-laws and to pass annual or revised budget.

141. Action taken in Good Faith.—No suit, prosecution, or other legal proceedings shall lie against any public servant serving in a Local Council for anything done in good faith under this Act.

142. **General Powers of Local Governments.**—Notwithstanding any specific provision of this Act, a Local Council shall perform its functions conferred by or under this Act and exercise such powers and follow such procedures as are enumerated in the Eighth Schedule.

143. **Members and servants of Local Government to be Public Servants.**—Every member and every servant of a Local Council, and every other person duly empowered to act on behalf of a Local Council, shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penalr-Code, 1860 (XLV of 1860).

144. Bar against employment.—The Mayor, Chairman, Deputy Mayor, Vice Chairman, or a member of a Local Council shall not be employed under such local government for period of one year from the date on which he ceases to be the Mayor, Chairman, Deputy Mayor, Vice Chairman, or member.

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CHAPTER XIX

TRANSITIONAL PROVISIONS

145. Interim Authorities.—(1) On coming into force of this Act, any office, authority or a Local Council established under the Northern Areas, Local Government Order, 1979, shall continue providing services without any interruption until a Local Council is established under this Act for the local area.

(2) All functionaries of the local government established under the Northern Areas Local Government Order, 1979, shall continue to perform their respective duties and responsibilities with the successor local government under this Act, until transferred to any other local government.

146. Interim maintenance of Institutions.—Where on the enforcement of this Act in any area, any service undertaken or institution maintained by the Government is required under any of the provisions of this Act to be compulsorily undertaken or maintained by a Local Council, such service or institution shall, notwithstanding anything contained in this Act, continue to be undertaken or maintained by the Government until the management thereof is transferred to the local government.

147. Financial transaction.—(1) All taxes, cesses, fees, rates, rents, tolls or charges which were being charged, levied and collected by any office of a Local Council under the Northern Areas Local Government Order, 1979, shall continue to be charged, levied and collected under this Act by the successor local government and every person liable to pay such a tax, cess, fee, rate, rent, toll, charge or any arrear of the tax, cess, fee, rate, rent, toll or charge shall continue to make the payment until such tax, cess, fee, rate, rent, toll or charge is revised, withdrawn or varied under this Act.

(2) Where any local government established under the Northern Areas Local Government Order, 1979 was receiving any grant or compensation in lieu of any tax, the successor local government under this Act shall continue to receive such grant or compensation.

(3) Where a Local Council assumes the office under this Act for the first time, its budget for the financial year during which it assumes the office, shall relate to the remaining period of that financial year and provisions regarding budget under this Act shall, as far as possible, apply to such budget.

148. Repeal and savings.—(1) The Northern Areas Local Government Order, 1979 is hereby repealed.

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(2) Save as otherwise specifically provided in this Act, nothing in this Act shall affect or be deemed to affect anything done, action taken, investigation or proceedings commenced, order, rule, regulation, bye- laws appointment, conveyance, mortgage, deed, document or agreement made, tax or fee levied, resolution passed, direction given, proceedings taken or instrument executed or issued, under or in pursuance of the Northern Areas Local Government Order, 1979 and any such action, investigation, proceedings, order, rule, regulation, bye-laws, appointment, conveyance, mortgage, deed, document, agreement, tax, fee, resolution, direction, proceedings or instrument shall, if in force at the commencement of this Act, continue to be in force, and have effect as if it were respectively done, taken, commenced, made, directed, passed, given, executed or issued under this Act.

149. Removal of difficulty.—The Government may, by order consistent with the Act, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.

FIRST SCHEDULE

[*See* Section-7,10,11,12,13, 14,15,17]

(Existing Number of seats in Local Councils)

Part - I

Union Councils

A- Gilgit

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Sai Pain	07	02		09
2	Haramosh	05	02		07
3	Sai Bala	08	03		11
4	Sakwar/ Pari	04	01		05
5	Bagrote	07	02		09
6	Danyore	07	02		09
7	Jalalabad/ Chamogan	07	02		09
8	Juglote/ Rahimab	04	01		05
9	Nomal/ Naltar	06	02		08
10	Bargo/ Shorote/ Shikot	08	03		11

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B-Skardu

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Gole	09	03		12
2	Hussainabad	05	02		07
3	Gultari	06	02		08
4	Shingoshigar	06	02		08
5	Shigrikalan	10	03		13
6	Shigrikhud	09	03		12
7	Chunda	08	03		11
8	Kchura	10	03		13
9	Kowardo	10	03		13
10	Stag	10	03		13
11	Tormik	08	03		11
12	Ganji	07	02		09
13	Mendi	10	03		13
14	Mehdiabad	07	02		09
15	Katisho	05	02		07
16	Tolti	07	02		09
17	Baghicha	06	02		08
18	Kharmang	05	02		07
19	Hamzigond	05	02		07
20	Olding	07	02		09
21	Bresil	04	01		05
22	Nar	03	01		04
23	Marapi	07	02		09
24	Markunja	07	02		09
25	Churka	06	02		08
26	Gulabpur	08	03		11
27	Tisar	07	02		09
28	Basha	05	02		07
29	Alchori	06	02		08
30	Daso	04	01		05
31	Braldo	04	01		05

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C- Diamer

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Goharabad	09			09
2	Gunar Raikot	08			08
3	Thak Niat	10			10
4	Batoga Khiner	10			10
5	Thor Hudur	10			10
6	Monkial Darel	10			10
7	Samigal Darel	10			10
8	Khanbari/ Dudushal	08			08
9	Gabbr Tangir	10			10
10	Juglote Tangir	10			10

D- Ghizer

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Sherqila	09	03		12
2	Singul	06	02		08
3	Bubur	06	02		08
4	Hatun	04	01		05
5	Chatorkhand	07	02		09
6	Imet Ishkoman	09	03		12
7	Sumadal	05	02		07
8	Gupis	05	02		07
9	Pingal	04	01		05
10	Fandar	05	02		07
11	Teru	08	02		10
12	Yasin Proper	07	02		09
13	Thous	09	03		12
14	Handur	07	02		09

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E- Ghanche

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Keris	10	03		13
2	Ghowari/ Kooro	10	03		13
3	Dagoni/ Balgar	08	03		13
4	Thalay	06	02		11
5	Kharkoo	07	02		08
6	Bara	08	03		09
7	Siksa	08	03		11
8	Frano	05	02		11
9	Machulu	06	02		08
10	Ghursey	5	02		07
11	Thagas	05	02		07
12	Saltro	04	01		05
13	Kondus	03	01		04
14	Gulshan e Kabir	03	01		04

F- Astore

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Eid Gah	12	03		15
2	Louse	11	04		15
3	Doyain	13	04		17
4	Gudai	13	04		17
5	Rattu	09	03		12
6	Rehman Pur	09	03		12
7	Marmay	07	02		09
8	Qamari	06	02		08

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G- Hunza Nagar

S.No.	Name of Union Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Shenbar	10	03		13
2	Skindarabad	05	02		07
3	Gulmit	05	02		07
4	Feker	06	02		08
5	Askurdas	06	02		08
6	Nagar Proper	10	03		13
7	Hoper	06	02		08
8	Shinaki	07	02		09
9	Ali Abad	09	03		12
10	Haiderabad	05	02		07
11	Karimabad	06	02		08
12	Altit	05	02		07
13	Ganish	05	02		07
14	Goj al I	06	02		08
15	Gojal II	07	02		09

(Part-II)

Town Committees

S.No.	Name of Town Committee	Number of directly elected members	Number of women reserved seats	Number of reserved seats of Non-Muslims	Total number of members
1	Gilgit				
2	Skardu				
3	Chilas				
4	Gahkuch				
5	Khaplu				
6	Astore				
7	Hunza-Nagar				

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(Part-III)

Municipal Committees

S.No.	Name of Municipal Committee	Number of directly elected members	Number of women reserved seats	Number of reserved seats for Non-Muslims	Total number of members
1	Chilas	08	0		08
2	Gahkuch	07	02		09
3	Khaplu	10	03		13
4	Astore	MC not declared			
5	Hunza Nagar	MC not declared			

(Part-IV)

Municipal Corporation

S.No.	Name of Municipal Committee	Number of directly elected members	Number of women reserved seats	Number of reserved seats for Non-Muslims	Total number of members
1	Chilas				
2	Gahkuch				
3	Khaplu				
4	Astore				
5	Hunza Nagar				

(Part-V)

Tehsil Council

S.No.	Name of Tehsil Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats for Non-Muslims	Total number of members
1	Gilgit				
2	Skardu				
3	Chilas				
4	Gahkuch				
5	Khaplu				
6	Astore				
7	Hunza-Nagar				

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(Part-VI)

City Metropolitan Corporation

S.No.	Name of District Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats for Non-Muslims	Total number of members
1	Gilgit	22	07		29
2	Skardu	14	05		19

(Part-VII)

District Council

S.No.	Name of District Council	Number of directly elected members	Number of women reserved seats	Number of reserved seats for Non-Muslims	Total number of members
1	Gilgit	14	05		19
2	Skardu	13	04		17
3	Diamer	08	0		08
4	Ghizer	09	03		12
5	Ghanche	09	03		12
6	Astore	05	02		07
7	Hunza Nagar	09	02		11

SECOND SCHEDULE

[*See* section 72, 80, 84]

DANGEROUS AND OFFENSIVE ARTICLES AND TRADES

1. The business of storing or selling timber, firewood, coal, charcoal and coke, hay straw grass and bamboo, jute, shrub, hemp munj and their products, matches, explosives, petrol, oil and lubricants, paper, ghee and other dangerously inflammable materials.
2. Sugar refining and sugar refineries.
3. Preparation of aerated water.
4. Operating or running bake houses.
5. Electroplating.

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6. Welding.

7. Storing, packing, pressing, cleaning, preparing or manufacturing by any process whatever blasting powder, ammunition, fireworks, gun powder, sulpher, mercury, gases, gun cotton, saltpeter, nitro compounds, nitromixtures, phosphercus or dynamite.

8. Cleaning, dying, preparing or manufacturing by any process whatever clothes or yarn in indigo and other colours.

9. Storing, processing, cleanings, crushing, melting, preparing or manufacturing by any process whatever or dealing in bones, tallow, offal, fat blood, soap, raw hides and skins candles, manure, catgut and oil cloth.

11. Washing or drying wool or hair.

10. Manufacturing oils.

12. Making or manufacturing bricks, 'Surkhi', tiles, or earthenware pots clay pipes or other earthenware by any process of baking or burning.

13. Burning or grinding of limestone or metal stone or starting of lime for sale.

14. Cleaning or grinding of grain or chilies by any kind or class or machinery.

15. Keeping animals likely to create nuisance.

16. Fell mongering.

17. Casting of heavy metals such as iron, lead copper and brass.

18 Dealing in poison, acid, chemicals, liquid or otherwise.

19. Whole-sale storing cleaning pounding and selling of tobacco except the storing of tobacco required for the preparation of biddis, cigars or cigarettes.

20. Operating or running tin factories.

21. Manufacture of safes, trunks and boxes.

22. Marble cutting and polishing.

23. Glass leveling and polishing.

24. Manufacture of cement and hume pipes.

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25. Storing, packing, pressing, cleaning, preparing manufacturing by any process whatever, rags, pitch, tar, turpentine, demmar, coconut, fibre, flax, hemp, rosin or spirit.

26. Tanning, pressing or packing hides or skins whether raw or dry.

27. Trade or operation of Ferries.

28. Discharging fire-arms and letting off fire-works. Fire-balloons or detonators, or any game dangerous to life, dwelling and other property.

29. Any other article or trade declared by Government to be dangerous to life, health or property or likely to cause, nuisance either from its nature or any reason of the manner in which or the conditions under which, the sam may be processed or carried on.

THIRD SCHEDULE

[*See* section 79, 84, 103, 104]

TAXES OF LOCAL GOVERNMENTS

Part I - Taxes of Union Councils

(1) entertainment tax on dramatic and theatrical show;

(2) fees for registration and certification of birth and marriages;

(3) remuneration of village chowkidar;

(4) fee on the services provided by the Union Council;

(5) rate for the execution or maintenance of any work of public utility like lighting of public places, drainage, conservancy and water supply operated by Union Council;

(6) community tax for the construction of public work of general utility for the inhabitants of the union;

(7) any other tax authorized by Government in consultation with Finance Department;

(8) Fee for licensing of professions and vocations as prescribed; and

(9) Any other tax authorized by the Government.

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Part II

Taxes of District Councils

(1) tax on the transfer of immovable property;

(2) fees for licenses, sanctions and permits granted by the District Council;

(3) market fees for the markets maintained by the District Council;

(4) local rate on lands assessable to land revenue;

(5) rates on the services provided by the District Council;

(6) fees at fairs, agricultural shows and industrial exhibitions, tournaments and other public gathering;

(7) fees for specific services rendered by the District Council;

(8) toll on bridges and ferries maintained by the District Council;.

(9) tax for the construction or maintenance of a work of public utility;

(10) fee on advertisement and billboards;

(11) fee on sale of animal in cattle market;

(12) rent of lands, buildings, equipment and machinery;

(13) fee for approval of building plans, erection and re-erection ofbuilding other than residential buildings;

(14) fee for change of land use of a land or building as prescribed;

(15) Tax on installation of Base Transceiver stations/ Tower.

(16) Fee for licensing of professions and vocations as prescribed; and

(17) any other tax authorized by the Government.

Part III

Taxes of City Metropolitan Corporations, Municipal Corporations, Municipal Committees and Town Committees

(1) tax on urban immovable property;

(2) entertainment tax on dramatic and theatrical shows;

(3) tax on the transfer of immovable property;

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(4) water rate;

(5) drainage rate;

(6) conservancy rate;

(7) fee for approval of building plans, erection and re erection of buildings;

(8) fee for change of land use of a land or building as prescribed;

(9) fee for the licenses, sanctions and permits granted by the local governments;

(10) fees on the slaughter of animals;

(11) tax on professions, trade, callings and employment;

(12) market fees;

(13) fee on advertisement and billboards;

(14) fees on sale of animals in cattle markets;

(15) toll tax on roads, bridges and ferries maintained by the Metropolitan Municipal Corporation, Municipal Corporation, Municipal Committees or Town-Committees;

(16) fees at fairs, industrial exhibitions, tournaments and other public gathering;

(17) fees for specific services rendered by the Metropolitan Municipal Corporation, Municipal Corporation, Municipal Committees or Town Committees;

(18) fee for registration and certification of births and marriages;

(19) rent of lands, buildings, equipment and machinery;

(20) tax for the construction or maintenance of any work of public utility;

(21) parking fees;

(22) Tax on installation of Base Transceiver stations/ Tower.

(23) Fee for licensing of professions and vocations as prescribed; and

(24) any other tax authorized by the Government.

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FOURTH SCHEDULE

[*See* section 117, 118]

LIST OF OFFENCES WITH ENFORCEMENT JURISDICTION REQUIRING COURT TRIAL

PART-I

S.No.	Offences
1.	Discharging any dangerous chemical, inflammable, hazardous or offensive article in any drain, or sewer, public water course or public land vested in or managed, maintained or controlled by the local government in such manner as causes or is likely to cause danger to persons passing by or living or working in neighborhood, or risk or injury to property.
2.	Failure of industrial or commercial concerns to provide adequate and safe disposal of affluent or prevention of their mixing up with the water supply or sewerage system.
3.	Adulteration of any eatable or drinkable or consumable item sold or supplied to the public.
4.	Manufacturing, trading, storing or supplying any eatable or drinkable item and other items unsafe for human consumption or public health.

PART-II

S.No.	Offences
5.	Overcharging or illegally charging any tax, fee, fine, charge or rate by an employee of a Local Council or a contractor or his staff without the authority of I euislatii a Local Council.
6.	Preparing or using counterfeit or proscribed Forms of the local government.
7.	Willfully obstructing any officer or servant of a Local Council (or any person authorized to exercise power conferred under this Act.
8.	Failure to deliver back possession of property to the local government on cancellation and expiration of lease.
9.	Doing an act without license or permission when the doing of such act requires a license or permission under any of the provisions of this Act or the rules or bye-laws.
10.	Evasion of payment of tax or other impost lawfully levied by a Local Council.
11.	Supplying or marketing drinking water for human consumption in any form, from any source which is contaminated or suspected to be dangerous to public health, or its use has been prohibited by a Local

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S.No.	Offences
	Council on the ground of being unsafe for human consumption, or whose quality and suitability for human consumption has not been ascertained and certified by a laboratory. authorized by the Government.
12.	Cultivation of agriculture produce or crop, for supply or sale to public using such manure, or irrigating it with sewer water or any such liquid as may be injurious to public health or offensive to the neighbourhood.
13.	Violation of the prohibitions provided in the Master Plan, the sanctioned Site Development Schemes under this Act or any other law for the time being in force including the plans and schemes sanctioned under the repealed enactments.
14.	Manufacturing, storing, trading or carrying fire crackers, fire balloons or detonators or any dangerous chemical, inflammable, hazardous or offensive article or material without license from concerned authority.
15.	Immovable encroachment in or on or under any property or any open space or land vested in or managed, maintained or controlled by a Local Council.
16.	Erection or re-erection of building over set back area or parking area or building line area required to be left open under the rules for using such space for any purpose which is not approved.
17.	Changing or converting into any other use any portion of a commercial building or area specified or earmarked for public parking.
18.	Failure to demolish or otherwise secure a building declared by the local government to be dangerous building.
19.	Establishing any parking stand on any property or on any open space and public park or land vested in or managed, maintained or controlled by a local government on or under a street, road, graveyard or a drain without the sanction of the concerned local government.
20.	Quarrying, blasting, cutting timber or carrying building operations in such manner as causes or is likely to cause danger to persons passing by or living or working in neighbourhood.
21.	Erection or re-erection of a building without the sanction required under this Act or using a building for a purpose which may endanger the security of people.
22.	Dyeing or tanning skins within such distance of any commercial or residential areas as may be specified by the local government.
23.	Manufacturing, keeping, storing or selling wire thread or any other material meant for kite flying or likely to cause threat to human life or electric installations or disruption of electric supply.

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S.No.	Offences
24.	Contravention of the prohibition or attempt or abetment of any of the offences in this Part.

PART-III

S.No.	Offence
25.	Preparation and sale of article or articles of food or drink by a person apparently suffering from any infectious or contagious disease that may endanger the health of people.
26.	Establishing any cattle market without permission of the local government.
27.	Establishing any bus, wagon, taxi or other commercial motorized or non-motorized vehicle stand, for purposes of plying them on different routes, on any road, street, footpath, public place or any other property vested or managed or controlled or maintained by a Local Council without its permission.
28.	Establishing or running any restaurant or vending stalls for eatables on any road, street, footpath, public place, over a drain, or any other property vesting in or managed or controlled or maintained by a Local Council without its permission.
29.	Establishing a brick kiln and lime kiln within such distance of a residential area as may be specified by the local government.
30.	Cutting down of any tree, or erection or demolition of any building or part of a building where such action is declared under this Act to be a cause of danger or annoyance to the public.
31.	Contravention of the prohibition or attempt or abtment of any of the offences in this Part.

FIFTH SCHEDULE

[*See* section 117,118 ,119]

OFFENCES WHERE TICKET CAN BE ISSUED

S. No.	Offence	Amount of Fine
1.	Neglect in safe storage of eatable, drinkable and other consumable items sold or supplied to the public.	Rs. 500 and Rs. 3,000 in case of large restaurants, hotels and shops.
2.	a. Fixing of wooden khokhas, and temporary shops or extension thereof on footpaths or beyond the street line. b. Plying of handcarts for the sale of goods Rs.300 without permission.	Rs. 1,000 Rs. 300

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S. No.	Offence	Amount of Fine
3.	Failure by the owner or occupier of any land to clear away and remove any vegetation declared by a local government to be injurious to health or offensive to neighbourhoods.	Rs. 500
4.	Slaughtering of animals for the sale of meat at a place other than the place set apart for the purpose.	Rs. 500
5.	Without the permission of the local government, causing or knowingly or negligently allowing the contents of any sink, sewer or cesspool or any other offensive matter to flow, or drain or to be put upon any street, or public place, or into irrigation channel or any sewer or drain not set apart for the purpose.	Rs. 3,000 in case of commercial concerns and Rs. 500 for others.
6.	Keeping or maintaining any cattle in any part of the prohibited zone or failure to remove the cattle from the prohibited zone within the specified time when an order to this effect has been made.	Rs. 500
7.	Keeping ferocious dogs or other animals in residential areas or taking such animals to public places or the areas specified by the local government, without leash or chain and without being muzzled or to set at large any animal or dog infected with rabies or any other infectious disease.	Rs. 200
8.	Obstructing or tampering with any road, street, drain or pavement.	Rs. 1,000
9.	Obstructing or tampering with any main pipe, meter or any apparatus or appliance for the supply of water or sewerage system.	Rs. 1,500
10.	Without the previous sanction of the local government: (i) laying out a drain or altering any drain in a street or road; (ii) connecting any house drain with a drain in a public street; and (iii) drawing off, diverting or taking any water except with the permission required under this Act.	Rs. 1,000
11.	Excavation of earth, stone or any other material within such distance of the residential area as specified by the local government.	Rs. 1,000
12.	Burying or burning a dead body at a place which is not a public or registered burial or burning place, except with the sanction of the local government.	Rs. 1,000
13.	Failure to furnish, on requisition, information in respect of any matter which a local government is authorized to call for under any of the provisions of this Act, rules or bye-laws or furnishing wrong information.	Rs.300
14.	Obstructing lawful seizure of animals liable to be impounded on the ground of violations of rules or by-laws governing the picketing, tethering, keeping, milching or slaughter of animals or their trespass of private or public property.	Rs. 1,000
15.	Picketing, parking animals or collecting carts or vehicles on any street, using any street as a halting place for vehicle or animals or as a place encampment without the permission of the local government.	Rs. 500

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S. No.	Offence	Amount of Fine
16.	Causing or permitting animals to stray or keeping, tethering, stalling, feeding or gazing any cattle on any road, street or thoroughfare or in any public place or damaging or causing or permitting to be damaged any road, street or thoroughfare by allowing cattle to move thereon.	Rs. 500
17.	Disposal of carcasses of animals within prohibited distance.	Rs. 500
18.	Failure to dispose of offal, fat or any organ or part of a dead animal in a place set apart for the purpose by the local government.	Rs. 500
19.	Throwing or placing any refuse, litter or garbage on any street, or in any place, not provided or appointed for the purpose by a local government.	Rs. 500
20.	Failure to provide for disposal of litter or garbage inside or outside a shop by its owner or occupier.	Rs. 500
21.	Failure to maintain clean premises of the area in front of a shop, office or factory up to the public street or road serving this facility.	Rs. 1,000
22.	Watering cattle or animals, or bathing or washing at or near a well or other source of drinking water for the public.	Rs. 500
23.	Steeping hemp, jute or any other plant in or near a pond or any other excavation within such distance of the residential area as may be specified by a local government.	Rs. 1,000
24.	Failure to provide, close, remove, alter, for repair, clean, disinfect or put in proper order any latrine, urinal drain, cesspool or other receptacle for filth, sullage, water or refuse by an owner or occupier of a house shop, office, industry or premises.	Rs. 2,000 for commercial/industrial concerns and Rs.500 for a residential house
25.	Failure to clean the premises, houses, shops and cultivated lands of the plastic bags and other non-perishable materials.	Rs. 500
26.	Damaging or polluting physical environment, inside or outside private or public premises, in a manner to endanger public health.	Rs. 2,000 for public premises and Rs. 500 for private premises
27.	Failure by the owner or occupier of any land to cut or trim the hedges growing thereon which overhang any well, tank or other source from which water is derived for public use.	Rs. 500
28.	Failure by the owner or occupier of any land or building to clean, repair, cover, fill up or drain off any private well, tank or other source of water supply, which is declared under this Act to be injurious to health or offensive to the neighbourhood.	Rs. 1,000
29.	Failure to stop leakages of water pipes, faucets and sanitary fittings resulting in dirty water pools affecting physical environments and breeding of mosquitoes.	Rs. 500
30.	Failure of an owner or occupier of any building or land to put up and keep in good condition troughs and pipes for receiving or carrying water or sullage water.	Rs. 500

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S. No.	Offence	Amount of Fine
31.	Feeding or allowing to be fed an animal meant for dairy or meat purposes, on deleterious substance, filth or refuse of any kind which is dangerous to health of consumers.	Rs. 1,000
32.	Defacing or disturbing, without due authorization, any direction-post, lamp post or lamp extinguishing or any light arranged by a local government.	Rs. 1,000
33.	Fixing any bill, notice, play card, poster or other paper or means of advertisement against or upon any private or public building or place other than the places fixed for the purpose by a local government.	Rs. 1,000
34.	Exhibiting any obscene advertisement.	Rs. 1,000
35.	Loud playing of music or radio, beating of drum or tom-tom, blowing a horn or beating or sounding any brass or other instruments or utensils in contravention of any general or special prohibition issued by a local government or in and around a hospital or an educational institution.	Rs. 1,000
36.	Loud shouting in abusive language causing distress to the inhabitants of a neighbourhood or village or any other public place.	Rs. 1,000
37.	Using or allowing the use for human habitation of a building declared by a local government to be unfit for human habitation.	Rs. 1,000
38.	Failure to lime-wash or repair a building, if so required by local government	Rs. 1,000
39.	Begging importunately for alms by exposing any deformity or disease or any offensive sore or wound to solicit charity.	Rs. 500
40.	Causing or permitting to be caused by any owner or keeper of an animal which, through neglect or otherwise, damages any land or crop or produce of land, or any public road.	Rs. 1,000
41.	Selling cattle and animals in contravention of any law, rule or by-laws of a local government.	Rs.1,500
42.	Kite flying in contravention of any general or specific prohibition issued by local governments.	Rs. 300
43.	Keeping pigeon or other birds in a manner causing danger to air traffic.	Rs. 500
44.	Digging of public land without the permission in writing of local government.	Rs. 1,000
45.	Contravention of any prohibition or direction of the local government issued under this Act or the rules.	Rs. 1,000
46.	Attempt or abetment of any of the offence in this Schedule.	Same as for the offence specified in the Schedule

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SIXTH SCHEDILE

[*See* section 119]

FORM OF TICKET

Name & Address of the Offender:	Name & Address of the Offender:	Name & Address of the Offender:	Name & Address of the Offender:
_____	_____	_____	_____
NIC No.	NIC No.	NIC No.	NIC No.
Particulars of Offence: (Section of Law with details of offences:	Particulars of Offence: (Section of Law with details of offences:	Particulars of Offence: (Section of Law with details of offences:	Particulars of Offence: (Section of Law with details of offences:
_____	_____	_____	_____
Date of commission of Offence:	Date of commission of Offence:	Date of commission of Offence:	Date of commission of Offence:
Amount of Fine:	Amount of Fine:	Amount of Fine:	Amount of Fine:
Rs._____	Rs._____	Rs._____	Rs._____
(in letters)	(in letters)	(in letters)	(in letters)
Date by which the Fine is to be paid	Date by which the Fine is to be paid	Date by which the Fine is to be paid	Date by which the Fine is to be paid
_____	_____	_____	_____
(Note: The amount of fine shall be deposited in Bank)	(Note: The amount of fine shall be deposited in Bank)	(Note: The amount of fine shall be deposited in Bank)	(Note: The amount of fine shall be deposited in Bank)
Corrective actions ordered:	Corrective actions ordered:	Corrective actions ordered:	Corrective actions ordered:

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Name of the Court having jurisdiction:	Name of the Court having jurisdiction:	Name of the Court having jurisdiction:	Name of the Court having jurisdiction:
Signature or Thumb Impression of the Offender:	Signature or Thumb Impression of the Offender:	Signature or Thumb Impression of the Offender:	Signature or Thumb Impression of the Offender:
Signatures of Inspector/Seal	Signatures of Inspector/Seal	Signatures of Inspector/Seal	Signatures of Inspector/Seal
Copy-1 (To be retained by Inspector)	***Copy-2 (To be retained by Offendeer on payment of fine)***	***Copy-3 (To be retained to Inspector by offender after payment within ten days)***	***Copy-4 (To be sent by the Bank to the local Accounts Officer)***

SEVENTH SCHEDULE

[*See* sections 138 & 139]

Part - I (Rules)

1. Local Government (Conduct of Elections);
2. Local Government (Conduct of Business);
3. Local Government (Taxation);
4. Local Government (Property);
5. Local Government (Auction);
6. Local Government (Land use);
7. Local Government (Servants);
8. Local Government (Budget);
9. Local Government (Accounts);

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10. Local Government (Contracts);
11. Local Government (Works);
12. Local Government (Conduct of Inspections);
13. Local Government (Conduct of Elected Officials);
14. Local Government (Delegation of Financial Powers);
15. Local Government (Births, Deaths, Marriages and Divorces); and
16. Any other set of rules necessary for implementation of this Act.

Part - II (Bye-laws)

1. Conduct of meetings..
2. Buildings control
3. Prevention and removal of encroachments.
4. Registration and regulation of institutions for orphans, widows, senior citizens, mentally ill, and women in distress.
5. Regulation of burial and cremation places.
6. Slaughter of animals and maintenance of slaughterhouses.
7. Prevention of adulteration of foodstuffs.
8. Animal husbandry and milk supply.
9. Prevention and abatement of nuisances.
10. Dangerous and offensive trades and articles.
11. Regulation of parking.
12. Organization and regulation of fairs, shows, tournaments and other public gatherings.
13. Prevention of beggary, juvenile delinquency and other social evils.
14. Licensing.
15. Markets.
16. Libraries.
17. Parks and open places.
18. Prevention of air, water, noise, and soil pollution.
19. Plantations.
20. Picketing. parking animals or collecting carts or vehicles on any street.

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21. Throwing or placing any refuse on any street, or in any place not provided or appointed for the purpose.

22. Dyeing or tanning animal skins.

23. Tampering with any main, pipe, or any apparatus or appliance for the supply of water.

24. Excavation of earth, stone or any other material.

25. Disposing of carcasses of animals.

26. Use of sewer water for farming.

27. Flow or drain to be put upon any street, or public place, or into an irrigation channel or any sewer or drain not set apart for the purpose.

28. Fixing any bill, notice, placard, or other paper or means of advertisement against or upon any building or place other than the places fixed for the purpose by the local government.

29. Fixing of wooden khokhas, plying of handcarts for the sales of goods, and temporary or permanent shops or extensions thereof on footpaths or beyond the street line.

30. Watering cattle or animals, or bathing or washing at, or, near a well or other source of drinking water for the public.

31. Other matters as in the opinion of a Local Council are necessary or expedient to be provided for in the byelaws.

EIGHTH SCHEDULE

[*See* section 142]

General Functions of Local Government

Animals

1. **Prohibition of picketing or tethering in streets.**—No animal shall be picketed or tethered in such streets or places as may be specified by the local government and any animal found picketed or tethered in any such street or place shall be liable to seizure and impounding.

2. **Prohibition against keeping and maintaining cattle.**—(1) Notwithstanding anything to the contrary contained in any other law or any agreement, instrument, custom or usage or decree, judgment or order of any court or other authority, the local government may declare any part of its local area as a prohibited zone.

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(2) At any time after declaration under sub-paragraph (1) has been made, the local government may, by general or special notice, prohibit the keeping and maintaining the cattle by any person in the prohibited zone.

(3) No person shall, after the expiry of the period, if any, fixed under sub-paragraph (2), keep or maintain cattle in any part of the prohibited zone:

Provided that the prohibition shall not apply to—

(a) cattle kept bona fide for sacrificial purpose;

(b) cattle kept for drawing carts or use in mills, with the permission of the local government and subject to such conditions as it may impose;

(c) cattle under treatment in any veterinary hospital;

(d) cattle brought to a cattle market demarcated by the local government for the purpose of sale; and

(e) cattle brought to a slaughterhouse or kept by butchery's for the purpose of slaughter within the area demarcated by the local government.

(f) (4) Persons affected by the prohibition order under sub-paragraph (2) to meet their genuine needs may be allowed to keep and maintain their cattle at the places earmarked as "cattle colonies" by the local government on such terms and conditions as it may impose.

3. **Dangerous animals.**—A Local Council may, by byelaw, 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 byelaws, among other matters, may provide for the detention, destruction or disposal otherwise of such animals.

4. **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 other religious purpose such person shall either:

(a) convey the carcasses within twenty-four hours to a place, if any, fixed by the local government for the disposal of the dead bodies of animals or to a place beyond the limits of its local area, not being a place within two kilometers of such limits; or

(b) give notice of the death to the local government whereupon the local government shall cause the carcass to be disposed of and

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charge such fees from the person concerned as the byelaws may provide.

5. **Animal husbandry.**—(1) A Local Council may provide for the establishment, maintenance and management of veterinary hospitals and dispensaries and by byelaws regulate their working and fix the fees to be charged for treatment in such hospitals and dispensaries.

(2) A Local Council may, by byelaws, 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 of animals, and the subjection to such treatment as may be necessary of such animals as may be suspected to have been infected with carriers of any such disease.

6. **Animal farms.**—A Local Council may establish, maintain and manage cattle farms and poultry farms, and such farms shall be managed and administered in such manner as the byelaws may provide.

7. **Registration of the sale of cattle.**—A Local Council may, by byelaws, require that sale of such animals as may be specified shall be registered with the local government in such manner and subject to the payment of such fees as the byelaws may provide.

8. **Cattle shows, zoo, etc.**—(1) A Local Council shall not hold cattle shows and fairs within the limits of its local area, but may hold bakar-mandies for sale of cattle meant for slaughter and charge such fee per cattle head sold as the byelaws may provide:

Provided that where local government was holding cattle shows and fairs earlier within the limits of its local area the successor local government may continue holding such cattle shows and fairs and charge such fees from the people attending such shows or fairs, as the byelaws may provide.

(2) A Local Council may, with the previous approval of the Government, maintain or contribute towards the maintenance of zoological gardens.

9. **Registration and control of dogs.**—(1) A Local Council may make bye-laws to provide for the registration of all dogs kept in such area or areas within its local area, as may be specified.

(2) Such bye-laws shall:

(a) require the registration, by the local government of all dogs kept within the area or areas specified or any part thereof.

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(b) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the registration authority of the local government and fix the fee payable for the issue thereof;

(c) require that any dog which has not been registered or which is not wearing such token shall, if found in any public place, be detained at a place set apart for the purpose; and

(d) fix the fee which shall be charged for such detention and provide that any such dog shall be liable to be destroyed or otherwise disposed of unless it is claimed and the fee in respect thereof is paid within one week, and may provide for such other matters as the local government thinks fit.

(3) A Local Council may:

(a) cause to be destroyed or confined for such period as it may direct, any dog or other animal which is, or is reasonably suspected to be, suffering from rabies, or which has been bitten by any dog or other animal suffering or suspected to be suffering from rabies;

(b) by public notice direct that, after such date as may be specified in the notice, dogs which are without collars or without marks distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners if any may be destroyed, and cause them to be destroyed accordingly;

(c) require the owner or person in-charge of any dog-

(i) to restrain it so that it is not set at large in any street without being muzzled, leashed or chained; and

(ii) to provide immediate information, if the dog belonging to him has been bitten by any animal suffering or reasonably suspected to be suffering from rabies or any other infectious disease.

(4) No damages shall be payable in respect of any dog or other animal destroyed or otherwise disposed of under this paragraph.

10. **Power to seize.**—(1) A cultivator, tenant, occupier, vendee or mortgagee of any land or crop or produce or any part thereof or any person who has advanced cash for the cultivation of crop may seize or cause to be seized any animal trespassing on such land and doing damage thereto, or any crop or produce thereon, to send them or cause them to be sent within twenty-four hours to a pound established under this Act.

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(2) Persons in charge of public roads, pleasure grounds, plantations, canals, drainage works, embankments and the like, and the officers of police, may seize or cause to be seized animals doing damage thereto, and shall send them or cause them to be sent, within twenty-four hours of the seizure, to the nearest animal pound.

11. **Pounds.**—A Local Council may establish such number of animal pounds as may be necessary and may fix, from time to time, the location of the animal pounds, the rate of feeding, watering and accommodating the impounded animals.

12. **Pound keepers.**—A Local Council may appoint pound-keepers on whole-time or part-time basis on such terms and conditions as may be fixed.

13. **Registers and returns.**—(1) A pound-keeper shall keep such registers and furnish such returns as may be required by the local government.

(2) When animals are brought to the pounds, the pound-keeper shall enter in the register the number and description of animals, the day and hour on which they were so brought, the name and residence of the seizurer and that of the owner, if known, and shall give the seizurer or his agent a copy of such entry.

14. **Possession and feeding.**—The pound-keeper shall take charge of, feed and water the animals until they are disposed of as hereinafter provided.

15. **Fines for impounded animals.**—For every animal Impounded under this Act, the pound-keeper shall levy a fine in accordance with the scale fixed by the local government and the fines so charged shall form part of and be credited to the local fund.

16. **Delivery or sale of animals.**—(1) If the owner of an impounded animal or his agent appears and claims the animal, the pound-keeper shall deliver it to him on payment of the fine and charges incurred in respect of such animal under proper receipt to be recorded by the owner or his agent in the register.

(2) If the animal is not claimed within seven days of impounding, the pound-keepers shall inform the officer in charge of the Police Station who shall thereupon display at a conspicuous place in his office a notice stating the number and description of animals and places of seizure and impounding. A similar notice shall be displayed at a conspicuous place in the office of the local government.

(3) If the animal is not claimed within seven days of the notice it shall be sold by the local government by open auction after giving sufficient publicity in the local area:

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Provided that the person auctioning the animals or the pound-keeper or his relatives shall not bid for or purchase the impounded animals.

(4) The proceeds of the sale of the animal shall be paid to the owner if he appears within six months of the sale, after deduction of fines, feeding and other charges.

Arboriculture

17. A **rboriculture.**—A Local Council shall plant trees on public streets and other public places within its local area and take all such steps as may be necessary for the plantation and protection of trees on such streets and places.

18. **Forests.**—A Local Council may, in the manner prescribed, frame and enforce plans providing for the improvement, development and exploitation of forests and maintain, plan and work forests in accordance with such plans.

19. **Nuisance pertaining to trees and plantations.**—(1) Local Council may, by byelaws, determine the pests of trees and plants and provide for their destruction.

(2) If any land or premises within the local area of, the local government is grown with rank or noxious vegetation, or under-growth, the local government may by notice require the owner or the occupier of such land or premises to clear such vegetation or under-growth within a specified time and if he fails to do so within such time, the local government may have such vegetation or under-growth cleared and the cost incurred shall be deemed to be a tax levied on the owner or occupier under this Act.

(3) A Local Council may, in the manner provided in the byelaws, prohibit the cultivation of any crop which is considered dangerous to public health within such part of its local area as may be specified.

Boundaries and Trees

20. **Boundary walls, hedges and fences.**—(1) No boundary wall, hedge or fence of any material or description shall be erected in such parts of a local area as are specified by a Local Council without the permission in writing of the local government.

(2) A Local Council may, by notice in writing, require the owner or lessee of any land in its local area:

(a) to remove from the land any boundary wall, hedge or fence unsuitable, unsightly or otherwise which is, in its opinion objectionable; or

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(b) to construct on the land sufficient boundary walls, hedges or fences of such material, description or dimensions as may be specified in the notice; or

(c) to maintain the boundary walls, hedges or fences of such lands in good order.

Provided that, in the case of any such boundary wall, hedge or fence which was erected with the consent or under the orders of the local government or which was in existence at the commencement of this Act the local government shall make compensation for any damage caused by the removal thereof.

(3) A Local Council may, by notice in writing, require the owner, lessee or occupier of any such land to cut or trim any hedge on the land in such manner and within such time as may be specified in the notice.

21. **Felling, lopping and trimming of trees.**—(1) Where, in the opinion of the local government the felling of any tree of mature growth standing in a private enclosure in its local area is necessary for any reason, the local government may, by notice in writing, require the owner, lessee or occupier of the land to fell the tree within such time as may be specified in the notice.

(2) A Local Council may:

(a) cause to be lopped or trimmed any tree standing on land in its local area which belongs to the local government; or

(b) by public notice require all owners, lessees or occupiers of land in its local area or by notice in writing require the owner, lessee or occupier of any such land, to lop or trim, in such manner as may be specified in the notice, all or any trees standing on such land or to remove any dead trees from such land.

22. **Digging of public land.**—No person shall without the permission in writing of the local government dig up surface of any open space which is not a private property-or--take out earth there from.

23. **Improper use of land.**—(1) If in the opinion of a Local Council the working of a quarry in its local area or the removal of stone, sand, earth or other material from the soil in any place in its local area is dangerous, to persons residing in or frequenting the neighborhood of such quarry or place, or creates, or is likely to create, a nuisance, the local government may, by notice in writing, prohibit the owner, lessee or occupier of such quarry or place or the person responsible for such working or removal, from continuing or permitting the working of such quarry or the moving of such material, or require him to take such steps in the matter as the local government may direct for the purpose of preventing danger or abating the nuisance or likely to arise there from.

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(2) If, in any case referred to in sub- paragraph (1), the local government is of the opinion necessary in order to prevent imminent danger, it may, by order in writing, require a proper hoarding or fence to be put up for the protection of passers-by.

Building and Land Use Control

24. **Sanction for buildings.**—No person shall erect or re-erect a building or commence to erect or re-erect a building on any land in a local area except with the previous sanction of the local government nor otherwise than in accordance with the provisions of this Act and of the rules and byelaws made under this Act relating to the erection and re-erection of buildings:

Provided that a Local Council may, with the approval of government, exempt any Union or a part thereof from application of any specific provisions of the building bye-laws or any matter provided for in paragraphs 25 to 34.

25. **Notice of new buildings.**—(1) Whoever intends to erect or re-erect any building in a local area shall apply for sanction by giving notice in writing of his intention to the local government.

(2) For the purposes of this Act, a person shall be deemed to erect or re-erect a building who:

(a) makes any material alteration of enlargement of any building, or

(b) converts into a place for human habitation any building not originally constructed for that purpose, or

(c) converts into more than one place for human habitation a building originally constructed as one such place, or

(d) converts two or more places of human habitation into one such place or into greater number of such places, or

(e) converts a building or a site or land meant for one particular use or in one particular zoning area into any other use or a use meant for another zoning area, or

(f) converts into a stable, cattle-shed or cow-house any building originally constructed for human habitation, or

(g) makes any alteration which there is reason to believe is likely to affect prejudicially the stability or safety of any building or the condition of any building in respect of drainage, sanitation or hygiene, or

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(h) makes any alteration to any building which increases or diminishes the height of, or area converted by, or the cubic capacity of, the building, or which reduces cubic capacity of any room in the building below the minimum prescribed by any bye-law made under this Act.

26. **Conditions of a valid notice.**—(1) A person giving the notice required by paragraph 25 shall specify the purpose for which he intends to use the building.

(2) Where a plan to re-lay a street has been approved by the local government, a person who intends to erect or re-erect a building or commences to erect or re-erect a building shall adopt the approved building or street line and for this purpose any space required to be left vacant shall vest in the local government.

(3) No notice shall be valid until it is made in the manner prescribed in the bye-laws made under this Act along with plans and other information which may be required therein, have been furnished to the satisfaction of the local government along with the notice.

27. **Power of Local Government to sanction or refuse.**—(1) A Local Council may for reasons to be recorded in writing, either refuse to sanction the erection or re-erection, as the case may be, of the building, or may sanction it either absolutely or subject to such directions as it thinks fit in respect of all or any of the following matters, namely:

(a) the free passage or way to be left in front of the building;

(b) the space to be left around the building;

(c) the ventilation of the building, the minimum cubic area of the rooms and the number and height of the storeys of which the building may consist;

(d) the provision and position of drains, latrines, urinals, cesspools or other receptacles for wastes;

(e) the level and width of the foundation, the level of the lowest floor and the stability of the structure;

(f) the line of frontage with neighbouring buildings if the building abuts on a street;

(g) the means to be provided for egress from the building in case of fire;

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(h) the materials and method of construction to be used for external and internal walls for rooms, floors, fire-places and chimneys;

(i) the height and slope of the roof above the uppermost floor upon which human beings are to live or cooking operations are to be carried on; and

(j) any other matter affecting the ventilation, sanitation, safety or environmental aspects of the building and its relationship with the surrounding buildings or areas;

(k) and the person erecting or re-erecting the building shall obey all such written directions.

(2) A Local Council may refuse to sanction the erection or re-erection of any building, either on grounds sufficient in the opinion of the local government affecting the particular building, or in pursuance of a notified general scheme or plan of the local government, restricting the erection or re-erection of buildings within specified limits or for any other public purpose.

(3) A Local Council before sanctioning the erection or re: erection of a building on land which is under the management of the Federal [or Provincial] Government or Government of Gilgit-Baltistan or any agency thereof, shall ascertain in writing within thirty days of application whether there is any objection on the part of the concerned Government to such erection or re-erection.

(4) A Local Council may refuse to sanction the erection or re-erection of any building:

(a) when the land on which it is proposed to erect or re-, erect the building is held on a lease from the Federal [or - Provincial] Government or Government of GilgitBaltistan if, the erection or re-erection constitutes a breach of the terms of the lease, or

(b) when the land on which it is proposed to erect or re-erect the building is not held on a lease from the Government, if the right to build on such land is in dispute between the person applying for sanction and the Government.

(5) If the local government decides to refuse to sanction the erection or re-erection of the building, it shall communicate in writing the reasons for such refusal to the person by whom notice was given.

(6) Where the local government neglects or omits, for forty five days after the receipt of a valid notice, to make and to deliver to the person who has given the notice any order of any nature specified in this paragraph, and such

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person thereafter by a written communication sent by registered post to the local government calls the attention of the local government to the neglect or omission, then, if such neglect or omission continues for a further period of fifteen days from the date of such communication, the local government shall be deemed to have given sanction to the erection or re-erection, as the case may be, unconditionally to the extent that it does not contravene the provisions of the building bye-laws and any notified general scheme for the area:

Provided that, in any case to which the provisions of subparagraph (3) apply, the period of forty five days herein specified shall be reckoned from the date on which the local government has received the report referred to in that sub paragraph.

(7) A Local Council may, after giving notice and for reasons to be recorded, cancel, modify or withdraw the sanction of a site plan at any time before construction has commenced or been made.

(8) Nothing in this paragraph shall apply to any work, addition or alteration which the local government may, by byelaws, declare to be exempt.

28. **Compensation.**—(1) No compensation shall be claimed by any person for any damage or loss which he may sustain in consequence of the refusal of the local government of sanction to the erection of any building or in respect of any direction/ issued by it under sub-paragraph (1) of paragraph 27.

(2) A Local Council shall make compensation to theL owner of any building for any actual damage or loss sustained by him in consequence of the prohibition of the re-erection of any building or of its requiring any land belonging to him to be added to the street:

Provided that the local government shall not be liable to make any compensation in respect of the prohibition of the re-erection of any building which for a period of three years or more immediately preceding such refusal has not been in existence or has been unfit for human habitation.

29. **Lapse of sanction.**—Every sanction for the erection or re-erection of a building given or deemed to have been given by the local government as herein before provided shall be available for one year from the date on which it is given, and, if the building so sanctioned is not begun by the person who has obtained the sanction or someone lawfully claiming under him within that period, it shall not thereafter be begun unless the local government on application made therefor has allowed an extension of that period.

30. **Period for completion of building.**—A Local Council, while sanctioning the erection or re-erection of a building as herein before provided, shall specify a reasonable period after the work has commenced within which the

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erection or re-erection is to be completed, and, if the erection or re-erection is not completed within the period so fixed, it shall not be continued thereafter without fresh sanction obtained in the manner hereinbefore provided, unless the local government on application made therefor has allowed an extension of that period:

Provided that not more than two such extensions shall be allowed by the local government in any case.

31. **Illegal erection and re-erection.**—No person shall begin, continue or complete the erection or re-erection of a building:

(a) without having given a valid notice as required by paragraphs 25 and 26 or before the building has been sanctioned or is deemed to have been sanctioned, or

(b) without complying with any direction made under subparagraph (1) of paragraph 27, or

(c) when sanction has been refused, or has ceased to be available, or has been suspended by the local government.

32. **Power to stop erection or re-erection or to demolish.**—(1) A Local Council may, at any time, by notice in writing, direct the owner, lessee or occupier of any land in its local area to stop the erection or re-erection of a building in any case in which the local government considers that such erection or re-erection is an offence under paragraph 31, and may in any such case or in any other case in which the local government considers that the erection or re-erection of a building is an offence under paragraph 31 within twelve months of the completion of such erection or re-erection in like manner direct the alteration or demolition, as it thinks necessary, of the building, or any part thereof, so erected or re-erected:

Provided that the local government may, instead of requiring the alteration or demolition of any such building or part thereof, accept by way of composition such sum as it thinks reasonable.

33. **Completion of building or alteration of building.**—(1) Every person who has erected or re-erected a building shall within thirty days of the completion of the building, report such completion to the local government.

(2) A Local Council may cause to be inspected any building of which construction has begun or which has been erected or re-erected in violation or contravention of any provision of this Act, rules or the byelaws or of the master plan or site development scheme, if any. A Local Council may require the alteration of the building so as to be in compliance therewith, and where such

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alteration is not possible, it may require the building or any part thereof to be demolished, or on the application of the owner of such building compound the offence on payment of such composition fee as may be deemed reasonable.

(3) If a building is required to be demolished under the provisions of sub-paragraph (2) and such requirement is not complied with, within the specified period, a Local Council may have the building demolished through its own agency and the cost so incurred shall be deemed to be a tax levied on the owner or occupier of the building under this Act.

34. **Regulation of buildings.**—(1) Except with the prior sanction of the local government, no building shall be put to a use other than shown in the building plan according to which it was erected or re-erected:

Provided that the local government shall not sanction any change in the use of a building which may be in violation or contravention of the master plan or site development scheme, if any.

(2) If any building or anything fixed thereon be deemed by the local government to be in a ruinous state or likely to fall or in any way dangerous to any inhabitant of such building or of any neighbouring building or to any occupier thereof or to passers- by, the local government may, by notice, require the owner or occupier of such building to demolish it or to take such action in regard to the building as may be specified in the notice, and if there is default, the local government may take necessary action and the cost so incurred shall be deemed to be a tax levied on the owner or occupier of the building under this Act.

(3) If a building is so ill constructed, or dilapidated or in dangerous condition or otherwise unfit for human habitation, the local government may prohibit the occupation of such building till it has been suitably repaired to the satisfaction of the local government.

(4) If the building is in dangerous condition and declared unfit for human habitation, the local government may for the purpose of demolition eject the owner or occupier from such building with such necessary force as may be required or in the manner laid down in paragraph 47.

(5) Where it appears to the local government that any block of buildings is in an unhealthy condition by reason of the manner in which the buildings are crowded together, or of the narrowness or closeness of the street, or of the want of proper drainage or ventilation, or of the impracticability of cleansing the buildings or other similar cause, it may cause the block to be inspected by a committee consisting of such officials of the local government as prescribed in the bye-laws.

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(6) The committee shall make a report in writing to th local government on the sanitary condition of the block, and if it considers that the condition thereof is likely to cause risk of disease to the inhabitants of the building or of the neighborhood or otherwise to endanger the public health it shall clearly indicate on a plan verified by a senior technical professional of the local government the buildings which should in its opinion wholly or in part be removed in order to abate the unhealthy condition of the block.

(7) If, upon receipt of such report, the local government is of the opinion that all or any building indicated should be- removed, it may, by notice in writing, require the owners, thereof to remove them:

Provided that the local government shall make compensation to the owners for any buildings so removed which may have been erected under proper authority:

Provided, further, that the local government may, if it considers it equitable in the circumstances so to do, pay to the owners such sum as it thinks fit as compensation for any buildings so removed which have not been erected under proper authority.

For the purposes of this sub-paragraph "buildings" includes enclosure walls and fences appertaining to buildings.

(8) Where it appears to a Local Council that any building or part of a building which is used as a dwelling house is so overcrowded as to endanger the health of the inmates thereof, it may, after such inquiry as it thinks fit, by notice in writing require the owner or occupier of the building or part thereof, as the case may be, within such time not being less than one month as may be specified in the notice, to abate the overcrowding of the same by reducing the number of lodgers, tenants, or other inmates to such number as may be specified in the notice.

35. **Projections and obstructions.**—(1) No owner or occupier of any building in a local area shall, without the permission in writing of the local government add to or place against or in front of the building any projection or structure overhanging, projecting into, or encroaching on, any street or any drain, sewer or aqueduct therein.

(2) A Local Council may, by notice in writing, require the owner or occupier of any such building to alter or remove any such projection or encroachment as aforesaid:

Provided that, in the case of any projection or encroachment lawfully in existence at the commencement of this Act the local government shall make compensation for any damage caused by the removal or alteration thereof.

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36. **Unauthorized buildings over drains, etc.**—A Local Council may, by notice in writing, require any person who has, without its permission in writing, newly erected or re-erected any structure over any public sewer, drain, culvert, watercourse or water-pipe in its local area to pull down or otherwise deal with the same as it thinks fit.

37. **Drainage and sewer connections.**—(1) A Local Council may, by notice in writing, require the owner or lessee of any building or land in any street, at his own expense and in such manner as the local government thinks fit, to put up and keep in good condition proper troughs and pipes for receiving and carrying rain water from the building or land and for discharging the same or to establish and maintain any other-connection or communication between such building or land and any drain or sewer.

(2) For the purpose of efficient draining any building or land in its local area, the local government may, by notice in writing, require the owner or lessee of the building or land:

(a) to pave, with such materials and in such manner as it thinks fit, any courtyard, ally or passage between two or more buildings, or

(b) to keep any such paving in proper repair.

38. **Power to attach brackets for lamps.**—A Local Council may attach to the outside of any building, or to any tree in its local area, brackets for lamps in such manner as not to occasion injury thereto or inconvenience.

39. **Power to make bye-laws.**—A Local Council may make bye-laws prescribing:

(a) the manner in which notice of the intention to erect or re-erect a building in its local area shall be given to the local government and the information and plans to be furnished with the notice;

(b) the type or description of buildings which mayor may not, and the purpose for which a building mayor may not, be erected or re-erected in its local area or any part thereof;

(c) the minimum cubic capacity of any room or rooms in a building which is to be erected or re-erected:

(d) the fees payable on provision by the local government of plans or specifications of the type of buildings which may be erected in the local area or any part thereof;

(e) the circumstances in which a mosque, temple or church or other sacred building may be erected or re-erected; and

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(f) any other matter which the local government may consider necessary including any specific exemption from the application of the bye-laws.

Burial Places/Graveyards and Cremation

40. **Power to call for information regarding burial and burning grounds.**—(1) The local government may, by notice in writing, require the owner or person in charge of any burial or burning ground within its area to supply such information as may be specified in the notice.

(2) No place which has not been used as a burial or burning ground before the commencement of this Act shall not be so used without the permission in writing of the local government.

(3) No new burial or burning place shall be established within the local area of a Local Council except under a license granted by the local government and in conformity with the condition of such license.

(4) A burial or burning place which is not administered, by a Local Council shall be registered with the local government and shall be subject to regulation, supervision and inspection, by it in such manner as the byelaws may provide.

(5) The Government may, by notification in the official!, Gazette, declare that any burial/ graveyard or burning place which is open to public for burial or burning shall vest in a Local Council and thereupon such burial or burning place shall vest in the local government and it shall take all measures necessary for the proper maintenance and administration thereof.

(6) A Local Council may provide suitable places for the burial/ graveyard or burning of the dead, and shall take necessary measures for the proper maintenance and administration of such burial and burning Places.

(7) (a) Where a Local Council after making or causing to be made a local inquiry, is of opinion that any burial or burning ground in its local area has become offensive, to, or dangerous to, the health of, persons living in the neighborhood, it may, by notice in writing, require the owner or person in charge of such ground to close the same from such date as may be specified in the notice.

(b) Where such notice is issued, the local government may provide at its own expense or, if the community concerned is willing to provide a new burial or burning ground, shall provide a grant to be made towards the cost of the same

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(8) No corpse shall be buried or burnt in any burial or burning ground in respect of which a notice issued under this paragraph is for the time being in force.

Culture

41. **Culture.**—A Local Council may:

(a) establish and maintain information centers for the furtherance of civic education and dissemination of information on such matters as community development and other matters of public interest;

(b) provide and maintain public halls and community centers; celebrate national occasions;

(c) encourage national and regional languages;

(d) promote physical culture and encourage, art exhibitions, public games and sports and organize rallies and tournaments;

(e) provide, promote or subsidize facilities for the recreation of the public.

42. **Libraries.**—A Local Council may establish and maintain such libraries, reading rooms and circulation libraries as may be necessary for the use of the public.

43. **Fairs and shows.**—A Local Council may make such arrangements on the occasion of any fairs, shows or public festivals within its local area as may be necessary for the public health, public safety and public convenience, and may levy fees on the persons attending such fairs, shows and festivals.

Dangerous and Offensive Articles and Trades

44. **Dangerous and Offensive Articles and Trades.**—(1) The articles and trades specified in the Second Schedule 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 license granted by the local government:

(a) no person shall carryon any dangerous or offensive trade;

(b) no premises shall be used or offered to be used for an dangerous or offensive trade; and

(c) no person shall store or keep in any premises —

(i) any dangerous or offensive articles for domestic use; or

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(ii) any dangerous or offensive articles in excess of such limits and quantity as may be fixed by the byelaws.

(3) Notwithstanding the grant of a license under subparagraph (2), the local government may, for reasons to be recorded, and after notice to the person affected, pass an order for the prohibition, closure or removal of any offensive and dangerous trade or article if such action is deemed expedient or necessary to implement the order.

Drainage and Sewerage

45. **Drainage.**—(1) A Local Council shall provide an adequate system of public drains in its 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.

(2) Every owner or occupier of any land or building within the local area of the local government may, with its previous permission, and subject to such terms and conditions,

including the payment of fees, as it may impose, cause his drains to be emptied into public drains.

(3) All private drains shall be subject to control, regulation and inspection by the local government.

(4) Subject to the provisions of any other law for the time being in force, the local government may by notice direct a commercial or industrial concern to provide for the disposal of its waste or effluent in the manner specified, and failure on the part of owner, tenant or occupier thereof to comply with such directions, shall be a municipal offence.

(5) A Local Council may, by notice, require the owner of any building, land or an industrial concern within its local area:

(a) to construct such drains within the building or land or the street adjoining such building or land and to take such other measures for treatment and disposal of effluent as may be specified in the notice;

(b) to remove, alter or improve any such drains; and

(c) to take other steps for the effective drainage of the building or land as may be specified.

(6) In case of failure of owner to comply with the requirements of notice under sub-paragraph (5), the local government may itself cause such requirements to be carried out, and the cost so incurred shall be deemed to be a

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tax levied on the owner of the building or land, as the case may be, under this Act.

46. **Drainage and sewerage schemes for commercial and industrial area.**—(1) A Local Council may, by notice, require the owners, tenants and occupiers of commercial and industrial concerns in any area or areas within its local area to have at their own cost prepared a scheme for the adequate and safe drainage and disposal of their wastes and effluent of the quality permitted under the rule or the byelaws and submit it to the local government within the time specified in the notice:

Provided that the time limit may be extended by the local government for a maximum period of three months at the reques of the owners, tenants or occupiers of the commercial and the industrial units concerned.

(2) The drainage, sewerage and disposal scheme as approved by the local government with modifications, if any, shall be executed and implemented by the owners, tenants or occupiers of the commercial or industrial units at their expense in such manner and within such time as may be specified by the local government.

(3) In case of the failure of the owners, tenants or occupiers of the commercial or industrial concerns to comply with the provisions of subparagraphs (1) and (2), the local government may itself prepare the drainage, sewerage and disposal scheme and execute and implement it at its own expense, and the cost so incurred shall, under this Act, be deemed to be a tax levied on the owners, tenants or occupiers of the industrial and commercial units concerned.

Encroachments

47. Encroachment and subsisting lease and licenses.—(1) No person shall make an encroachment movable or immovable on an open space or land vested in or managed, maintained or controlled by a Local Council, or on, over or under a street, road, graveyard, within its local area or a drain.

(2) The local government may, after such notice as may be considered reasonable, remove the encroachment mentioned in subparagraph (1) with such force as may be necessary.

(3) A person who trespasses into or is in wrongful occupation of a building or property which is vested in or is managed, maintained or controlled by a Local Council may, in addition to any other penalty to which he may be liable under this Act or any other law for the time being in force, after such notice as may be considered reasonable by the local government, be ejected from such building or property by the local government with such force as may be necessary.

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(4) Any person aggrieved by the notice issued under subparagraph (3) may, within seven days, of the service of notice, appeal to such authority as may be prescribed in the bye-laws and its decision thereon shall be final.

(5) Notwithstanding anything contained in any other law, no compensation shall be payable for any encroachment removed or ejectment carried out under this paragraph.

(6) The cost of removal of encroachment or ejectment under this paragraph shall be payable to the local government by the encroacher or wrongful occupier, and if the cost is not paid on demand the local government may cause it to be recovered as arrears of land revenue or cause the materials or articles used by the encroacher or the wrongful occupier of encroachment or wrongful occupation to be sold in auction and if the proceeds of the sale are not sufficient to cover the cost the balance shall be recoverable as arrears of land revenue but if such proceeds exceed the cost, the excess shall be paid to the encroacher or the wrongful occupier.

(7) In this paragraph, "encroacher" or "wrongful occupier" shall include a person who owns the materials or articles used for encroachment or wrongful occupation at the time of removal of encroachment or ejectment and also any, person in possession thereof on his behalf or with permission or connivance.

Environmental Protection

48. **Environmental pollution.**—(1) A Local Council may prepare and implement schemes for the prevention of the pollution of air by gases, dust or other substances exhausted or emitted by automobile engine, factories, brick or lime kilns, crushing machines for grain, stone, salt or other materials and such other sources of air pollution as the byelaws may provide.

(2) A Local Council may prepare and implement schemes. for the prevention of the pollution of water or land from such sources and in such manner as the byelaws may provide.

(3) A Local Council may, by notice in writing, require the owner or part-owner, or person claiming to be the owner or part-owner, of any building or land in the area of the local government or the lessee or the person claiming to be the lessee of any such land, which, by reason of disuse or disputed ownership or other cause, has remained unoccupied and has in the opinion of the local government become a sanitary or environmental hazard or otherwise occasions or is likely to occasion a nuisance, to secure and enclose the same within such time as may be specified in the notice.

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Food and Markets

49. **Public markets and slaughter-houses.**—(1) A Local Council may provide and maintain within its own local area, public markets and public slaughter-houses, in such number as it thinks fit, together with stalls, shops, sheds, pens and other buildings or conveniences for the use of persons carrying on trade or business in or frequenting such markets or slaughterhouses, and may provide and maintain in any such market buildings, places, machines, weights, scales and measures for the weighment or measurement of goods sold therein.

(2) A Local Council may at any time, by public notice either close or relocate any public market or public slaughterhouse or any part thereof.

50. **Use of public markets.**—(1) [No person shall, without the general or special permission, for sale by such person, be summarily removed from the market by or under the orders of the local government by any officer or servant of the local government authorized by it in this behalf.

(2) Any person contravening the provisions of this paragraph and any animal or article exposed for sale by such person may be summarily removed from the market by or under the orders of the local government by an officer or servant of the local government authorized by it in this behalf.

51. **Levy of stallages, rents and fees.**—A Local Council may, in respect of pubic market and public slaughter houses:

(a) change for the occupation or use of any stall, shop standing, shed or pen in a public market, or public slaughter-house; or for the right to expose goods for sale in a public market; or for weighing or measuring goods sold therein; or for the right to bring in goods on vehicles or animals or for animals brought for sale or sold; or for the right to slaughter animals in any public slaughter-house; or

(b) put up to public auctions or dispose of by private sale, the privilege of occupying or using any stall, shops, standing shed or pen in a public market or public slaughter house for such term and on such conditions as it may approve.

52. **Stallages, rents, etc. to be published.**—A copy of the table of stallages, rents and fees, if any, leviable in any public market or public slaughter-house, and of the bye-laws made under this Act for the purpose of regulating the use of such market or slaughter-house, printed in Urdu and in such other language or languages as the Local Council may direct, shall be affixed in some conspicuous place in the market or slaughterhouse.

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53. **Private markets and slaughter-houses.**—(1) No place in a local area other than a public market shall be used as a market, and no place in a local area other than a public slaughter-house shall be used as a slaughterhouse, unless such place has been licensed as a market or slaughter-house, as the case may be, by the local government.

(2) Nothing in sub- paragraph (1) shall be deemed to restrict the slaughter of any animal in any place on the occasion of any festival or ceremony, subject to such conditions as to prior or subsequent notice as the local government with the previous sanction of the Local Council may, by public or special notice, impose in this behalf.

54. **Conditions of grant of license for private market or slaughter-house.**—(1) A Local Council may charge such fees as approved by its Local Council for the grant of a license to any person to open a private market or private slaughter-house and may grant such license subject to such conditions, consistent with this Act and any bye-laws made there under, as it thinks fit to impose.

(2) A Local Council may refuse to grant any such license for reasons to be recorded.

55. **Prohibition of keeping market or slaughter-house open without license, etc.**—(1) No person shall keep open for public use any market or slaughter-house in respect of which a license therefore is suspended, or after the same has been cancelled.

(2) When a license to open a private market or private slaughter-house is granted or refused or is suspended or cancelled, the local government shall cause a notice of the grant, refusal, suspension or cancellation to be pasted in Urdu and in such other language or languages as it thinks necessary, in some conspicuous place nearby the entrance of the place to which the notice relates.

56. **Prohibition of using unlicensed market or slaughter-houses.**–No person, knowing that any market or slaughter-house has been opened to the public without a license having been obtained therefore when such license is required by or under this Act, or that the license granted therefore is for the time being suspended or that it has been cancelled, sell or expose for sale any article in such market, or slaughters any animal in such slaughter-house.

57. **Prohibition and restriction of use of slaughterhouses.**—(1) Where, in the opinion of the local government it is necessary on sanitary grounds so to do, it may, by public notice/ prohibit for such period, not exceeding one month as may specified in the notice, or for such further period, not exceeding one month, as it may specify by a like notice, the use of any private slaughter-house specified

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in the notice, or the slaughters herein of any animal of any description so specified.

(2) A copy of every notice issued under sub- paragraph (1) shall be conspicuously posted in the slaughter-house to which it relates.

58. **Power to inspect slaughter-house.**—(1) Any employee of a Local Council authorized by order in writing in this behalf by the local government may, if he has reason to believe that any animal has been, is being, or is about to be slaughtered in any place in contravention of the provisions of this Act enter into and inspect any such place at any time, whether by day or by night.

(2) Every such order shall specify the place to be entered and the locality in which the same is situated and the period, which shall not exceed seven days, for which the order is to remain in force.

59. **Power to make bye-laws.**—A Local Council may make bye-laws consistent with this Act to provide for all or any of the following matters, namely:

(a) the days on, and the hours during, which any private market or private slaughterhouse may be kept open for

(b) the regulation of the design, ventilation and drainage of such markets and slaughterhouses, and the material to be used in the construction thereof;

(c) the keeping of such markets and slaughter-houses and lands and buildings appertaining thereto in a clean and sanitary condition, the removal of filth and refuse there from, and the supply therein of pure water and of a sufficient number of latrines and urinals for the use of persons using or frequenting the same;

(d) the manner in which animals shall be stalled at a slaughter-house;

(e) the manner in which animals may be slaughtered;

(f) the disposal or destruction of animals offered for slaughter which are, from disease or any other cause, unfit for human consumption;

(g) the destruction of carcasses which from disease or any other cause are found after slaughter to be unfit for human consumption;

(h) any other matter which the local government may consider necessary including any specific exemptions from the application of the bye-laws.

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60. **Byelaws for articles of food and drink.**—A Local Council may, by byelaws:

(a) prohibit the manufacture, sale or preparation or the exposure for sale of any specified articles of food or drink in any place or premises not licensed by the local government;

(b) prohibit the import into its local area for sale or hawking for sale, of any specified article of food or drink by person not so licensed;

(c) prohibit the hawking of specified articles of food and drink in such parts of its local area as may be specified;

(d) regulate the time and manner of transport within its/ local area of any specified articles of food or drink;

(e) regulate the grant and withdrawal of a license under this paragraph and the levying of fees therefore; or

(f) provide for the seizure and disposal of any animal poultry or fish intended for food which is diseased, or any article of food or drink which is noxious.

61. **Milk supply.**—(1) Except under a license granted by the local government and in conformity with the conditions of such license, no person shall, unless exempted by the local government, 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 for sale or dairy product, nor shall any premises be used for such purpose.

(2) A Local Council may in the manner prescribed frames 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.

62. **Feeding animals on dirt, etc.**—No person shall feed or allow to be fed on filthy or deleterious substances any animal, which is kept for the purpose of supplying milk to, or which is intended to be used for human consumption or allow it to graze in any place in which grazing has, for sanitary reasons, been prohibited by public notice by the local government.

63. **Powers of entry and seizure.**—(1) An officer or employee of a Local Council authorized by it in writing in this behalf:

(a) may at any time enter into any market, building, shop, stall or other place in the local area for the purpose of inspecting, and may

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inspect, any animal, article or thing intended for human food or drink or for medicine, whether exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale, or of preparation for sale, or any utensil or vessel for preparing, manufacturing or containing any such article, or thing, and may enter into and inspect any place used as a slaughter-house and may examine any animal or article therein;

(b) may seize any such animal, article or thing which appears to him to be diseased, or unwholesome or unfit for human food or drink or medicine, as the case may be, or to be adulterated or to be not what it is represented to be, or any such utensil or vessel which is of such a kind or in such a state as to render any article prepared, manufactured or contained therein unwholesome or unfit for human food or for medicine, as the case may be.

(2) Any article seized under sub- paragraph (1) which is of a perishable nature may forthwith be destroyed if, in his opinion, it is diseased, unwholesome or unfit for human food, drink or medicine, as the case may be.

(3) Every animal, article, utensil, vessel or other thing seized under sub- paragraph (1) shall, if it is not destroyed under sub- paragraph (2), be taken before a competent court which shall give orders as to its disposal.

Explanation I.—If any such article, having been exposed or stored in, or brought to, any place mentioned in sub- paragraph (1) for sale as asli (pure) ghee, contains any substance not exclusively derived from milk, it shall be deemed, for the purposes of this paragraph, to be an article which is not what it is represented to be.

Explanation II.—Meat subjected to the process of blowing shall be deemed to be unfit for human food.

Explanation III.—The article of food or drink shall not be deemed to be other than what it is represented to be merely by reason of the fact that there has been added to it some substance not injurious to health:

Provided that:

(a) such substance has been added to the article because ', the same is required for the preparation or production thereof as an article of commerce in a state fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or drink or conceal the inferior quality thereof, or

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(b) in the process of production, preparation or conveyance of such article of food or drink, the extraneous substance has unavoidably become intermixed therewith, or

(c) the owner or person in possession of the article has given sufficient notice by means of a label distinctly and legibly written or printed thereon or therewith, or by other means of a public description, that such substance has been added, or

(d) such owner or person has purchased that article with a written warranty that it was of a certain nature, substance and quality and had no reason to believe that it was not of such nature, substance and quality, and has exposed it or hawked it about or brought it for sale in the same state and by the same description as that in and by which he purchased it.

Lease and Licenses for Land and Buildings

64. **Lease and licenses for land and buildings.**—(1) A Local Council may grant a license or lease in respect of any land, open space, building or property vested in it or managed, maintained or controlled by it on such terms and conditions as may be provided in the byelaws.

(2) Notwithstanding anything contained in any other law or a subsisting lease or license, the local government may, after giving a reasonable notice to the person concerned, vary the terms and conditions of any lease or license of land or buildings or any other property owned, managed, maintained or controlled by it, in such manner and to such extent, as it may deem fit, and may also cancel the lease or license if the varied terms and conditions are not acceptable to the lessee or the licensee.

(3) If, on the cancellation of any lease or license under sub- paragraph (2) or on the expiry of the period of any lease or license or on the determination or cancellation of a lease or license on the breach of any of the terms and conditions thereof in respect of land or building or any property of which a Local Council is the lessor or licensor, any lessee or licensee holds on or continues in possession of such land, building or property or if in any case such land or building or property is required for any public purpose, the lessee or licensee on being required to hand over vacant possession within a specified time refuses fails to vacate that land or building or property, the local government or an officer authorized by it in this behalf may enter upon and take possession of such land, building or other property, and may also demolish and remove the structures, if any, erected or built thereon.

(4) The cost of demolition and removal of structure under sub-paragraph (3) shall be payable to the local government by the lessee or licensee,

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as the case may be, and if the cost is not paid on demand, the local government may cause the material of the structures demolished. and removed to be sold in auction, and if the proceeds of the sale are not sufficient to cover the cost, the balance shall be recoverable as tax recoverable under this Act, but if such proceeds exceed the cost, the excess shall be paid to the lessee or the licensee as the case may be.

(5) In sub-paragraphs (3) and (4) the lessee and the licensee shall be deemed to include a person who owns the structure at the time of removal or demolition and also any person in possession thereof on his account or with his permission or connivance.

(6) For the purpose of eviction of lessee or licensee under the provisions of this paragraph, an officer authorized by a Local Council in this behalf may use or cause to be used such force as may be necessary and may seek Magisterial or Police assistance.

(7) If any sum is payable by the lessee or licensee as rent or fee in respect of any land, building or other property on the day of recovery of possession thereof, the same shall be recoverable from him as tax recoverable under this Act.

Licensing: General Provisions

65. **Power to vary license.**—If a Local Council is satisfied that any place used under a license granted by it under this Act is a nuisance or is likely to be dangerous to life, health or property, the local government may, by notice in writing, require the owner, lessee or occupier thereof to discontinue the use of such place or to effect such alterations, additions, or improvements as will, in the opinion of the local government, render it no longer a nuisance or dangerous.

66. **Carrying on trade, etc., without license or in contravention of paragraph.**—No person shall carryon any trade, calling or occupation for which a license is required without obtaining a license therefore or while the license therefore is suspended or after the same has been cancelled, or , after receiving a notice under paragraph 65, use or allow to be used any building or place in contravention thereof.

Open Spaces

67. **Gardens.**—(1) A Local Council may lay-out and maintain within its 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 byelaws, may provide.

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(2) For every public garden there shall be framed and enforced, in the manner prescribed, a garden development plan, which shall provide for the development and improvement of th garden.

68. **Open spaces.**—A Local Council may provide and maintain within its 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 byelaws may provide.

Planning

69. **Spatial plan.**—A Local Council may draw up a master spatial Plan for its local area which shall, among other matters, provide for:

(a) a survey of its local area including its history, statistics, public service and other particulars;

(b) development, expansion and improvement of any area within the local area;

(c) restrictions, regulations and prohibitions to be imposed with regard to the development of sites, and the erection and re-erection of buildings within the local area; and

(d) such other matters as the local government may require to be included in the plan.

70. **Site development schemes.**—(1) Where a Plan has been drawn up under paragraph 69 and such Plan has been approved, no owner of land exceeding such area as may be specified in this behalf in the Plan so approved shall develop the site or erect or re-erect a building on any plot of land covered by the Plan, except in conformity with the provisions of a site development scheme sanctioned for the area in the manner prescribed.

(2) Where a Plan has not been drawn up under paragraph 69, no owner of land shall develop the site or erect or re-erect any building on any plot or land except in conformity with the provisions of the site development scheme sanctioned by the local government.

(3) An owner of land who desires to develop a plot or a piece of land belonging to him for which no sanctioned site development scheme exists, or where the proposed development is not in conformity with the existing development scheme, he may apply to the local government for sanction of his development scheme and the local government may, on such terms and conditions and on payment of such fees or charges as may be laid down by it in its byelaws, sanction the same:

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Provided that the local government may, after giving notice and for reasons to be recorded, cancel, modify or withdraw the sanction any time before construction in pursuance of the scheme has commenced or been made.

(4) Among other matters, the site development scheme shall provide for:

(a) the division of the site into plots;

(b) provision for streets, drains and open spaces;

(c) reservation of land for public utility services to be transferred to the local government;

(d) provisions for acquisition of land by the local government, if any;

(e) the works that shall be executed at the cost of the owners of the site or sites; and

(f) the period during which the area shall be developed.

(5) The land reserved for public utility services in the Site Development Scheme shall be transferred, free of cost, by the owner or the owners to the local government before the sanction of the scheme. Such land shall not be converted or used for any purpose other than that shown in the same scheme.

71. **Execution of site development schemes.**—(1) The execution of site development scheme shall be subject to the inspection and control of the local government and the local government may from time to time give such directions with regard to the execution of the scheme as may be deemed necessary.

(2) If any area is developed or otherwise dealt with in contravention of the provisions of the sanctioned scheme, the, , local government may, by notice, require the owner of such area:- or the person who has contravened the provisions to make such alteration, in the site as may be specified in the notice, and where such alteration is not made or for any reason cannot be carried out, the local government may require and enforce the demolition of unauthorized structure and notwithstanding anything to the contrary contained in any law, no compensation shall be payable for such demolition.

(3) If an area for which a scheme has been sanctioned is not developed within the period provided in the scheme and further extension is not allowed by the local government, or if the development is not in conformity with the terms of the site development scheme, the local government may take over the development of the scheme and execute the necessary works and the cost so incurred shall be a tax recoverable under this Act.

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Development Planning

72. **Development Plans:** Strategic Plans, Master Plans and Development Plans in Local Council shall be prepared in the prescribed manner on specified sectoral pro-forma with the following as essential information:

(a) **Name & Location:** Name of the project and location must be clearly indicated by giving the name of the Area, Union Council and Village along with relevant details to signify the exact locality. Map of the area should be attached to magnify project location.

(b) **Cost:** Cost estimates should be indicated with source of financing and allocation in the current year budget. The narration should touch on the basis (e.g. market survey, schedule rates, estimation of previous work done) of determining the capital cost.

(c) **Objectives:** The Local Council must have clear road map of targets and objectives to achieve in the arena of its responsibility for development. Every project must fit into this frame and should have strong linkage with over all development objectives of the Local Council.

(d) **Description and Justification:** This section should describe the project in terms of existing facilities and justification for the Project. This section should also include technical parameters, details of civil works, machinery and other physical facilities required for the project, highlights of issues relevant to the project and strategy to resolve them.

(e) **Operating and Maintenance Cost:** This section should indicate itemized operational cost for five years after completion of the project with source of financing and responsibility.

(f) **Financial Plan:** This section should indicate the quantum of total resources required for the project the sources to provide the cost.

(g) **Project Benefits and Analysis:** This section should give a brief narration of the probable income to be generated due to the project and quantify social benefits to the target group.

(h) **Environmental Impact:** this section should give a fair assessment of the negative or positive impact of the project on the environment.

(i) **Implementation Schedule:** This section shou d indicate the starting and completion date of the project with detailed schedule of physical activities. The details should include administrative arrangements and manpower requirements during execution and operation of the project.

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73. **Community Development Projects.**—A Local Council may sponsor or promote Community Development Projects for its local area or any part thereof and may in this behalf, subject to the approval of Government, perform such functions as may be necessary.

74. **Commercial Schemes.**—A Local Council may, with the previous sanction of Government, promote, administer, execute and implement schemes for undertaking any commercial or business enterprise.

75. **Urban Improvement.**—An Urban local government may, with prior approval of Government, frame projects for improvement in its area and constitute a Urban Improvement Committee which shall perform such functions and exercise such powers as may be prescribed.

76. **Development Schemes.**—Where an Urban Improvement Committee is constituted, Government may, in the prescribed manner, provide for:

(a) the types of schemes to be undertaken;

(b) initiation of schemes by the Urban Improvement Committee on the direction of Government or on move by the local government;

(c) matters to be provided for in a scheme such as acquisition of land, retention management or disposal of lands vested in the local government, demolition of unhygienic buildings, relaying out and redistribution of land in a scheme, laying out and alteration of schemes, provision and management of open spaces, reclamation of land and its reservation for the production of fruit, vegetables, fuel, fodder and the like for the residents of a local area, water supply and lighting, drains and sewerage, health measures, erection and re-erection of buildings, advances to owners, communications and other mater;

(d) alteration and abandonment of schemes and acquisition of land;

(e) furnishing of information by a Local Council or by Government or other agency which is necessary for the purpose of framing a scheme or of assistance in its execution or maintenance;

(f) powers of such sanction or, as the case may be, of rejection or modification of a scheme;

(g) powers to facilitate movement of population and powers of entry;

(h) powers to make a surveyor contribute towards its costs; and

(i) such other matters as may be necessary.

77. **Notice of scheme.**—(1) As soon as may be, after a scheme has been framed by the Urban Improvement Committee, the Urban Improvement

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Committee shall prepare a notice stating the fact that the scheme has been framed and that the boundaries of the localities comprised therein and the place or places at which and the time at which the scheme including a statement of the land proposed to be acquired and the general map of the locality comprised in the scheme, may be inspected.

(2) The Urban Improvement Committee shall, notwithstanding anything contained in the sanctioned scheme, cause the said notice to be notified and also published in a newspaper weekly on three consecutive weeks along with a statement of the period within which objections shall be received.

(3) On the notification and publication of notice under sub-section (2), the scheme shall be deemed to be in force and no person shall thereafter erect, re-erect, add or alter any building or buildings within the area of the scheme except with the permission of the Urban Improvement Committee.

(4) The objections under sub-section (2) shall be disposed of in the prescribed manner.

78. **Notice of acquisition of land and notification of schemes.**—(1) During thirty days following the first day on which any notice is notified and published, the Urban Improvement Committee shall serve a notice on every person whom the Urban Improvement Committee has reason to believe to be owner or occupier of any immovable property which is proposed to be acquired in executing the scheme and such notice shall state that the Urban Improvement Committee proposes to acquire such property for the purpose of carrying out a scheme, requiring such person, if he objects to such acquisition, to state his reasons in writing within a period of sixty days from the service of the notice.

(2) The sanction of the scheme by the authority competent to do so under the rules shall on notification by conclusive evidence that the scheme has been duly framed and sanctioned.

79. **Approval of Development Plan.**—The Development Plan of a Local Council shall be sanctioned in its meeting.

80. **Development Plans to be Included in the Budget.**—As far as may be, the schemes included in the Development Plan shall be included in the budget.

Public Health and Sanitation

81. **Insanitary buildings and lands.**—(1) A Local Council may, by notice, require the owners or occupier of any building or land which is in insanitary or unwholesome state:

(a) to clean or otherwise put in it in a proper state;

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(b) to make arrangements to the satisfaction of the local government for its proper sanitation; and

(c) to lime wash the building and to make such essentialic repairs as may be specified in the notice.

(2) If in the opinion of a Local Council any well, tank; reservoir, pool, depression, or excavation, or any bank or in a ruinous state or for want of sufficient repairs, protection or enclosure a nuisance or dangerous to persons passing by or dwelling or working in the neighborhood, the local government may by notice in writing, require the owner or part-owner or person claiming to be the owner or part-owner thereof, or, failing any of them, the occupier thereof to remove the same, or may require him to repair, or to protect or enclose the same in such manner as it thinks necessary; and, if the danger is, in the opinion of the local government imminent, it shall forthwith take such steps as it thinks necessary to avert the same.

82. **Removal, collection and disposal of refuse.**—(1) A Local Council shall make adequate arrangements for the removal of refuse from all public roads and streets, public latrines, urinals, drains and all buildings and lands vested in the local government and, for the collection and proper disposal of such refuse.

(2) The occupiers of all other buildings and lands within the local area of a Local Council shall be responsible for the removal of refuse from such buildings and land subject to the general control and supervision of the local government where relevant.

(3) A Local Council shall cause public dustbins or other suitable receptacles to be provided at suitable places and where such dustbins or receptacles are provided, the local government 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 dustbins or receptacles.

(4) All refuse removed and collected by the staff of a Local Council or under their control and supervision and all refuse deposited in the dustbins and other receptacles provided by the local government shall be the property of the local government.

(5) A Local Council may, by notice issue directions with regard to the manner in which and the conditions subject to which, any matter referred to in this paragraph may be carried out.

83. **Latrines and urinals.**—(1) A Local Council shall provide and maintain in sufficient number and in proper situations public latrines and urinals for the separate use of each sex, and shall cause the same to be kept in proper order and to be regularly and properly cleaned.

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(2) A Local Council may, by notice in writing:

(a) require any person having the control whether as owner, lessee or occupier of any land or building-

(i) to close any cesspool appertaining to the land or building which is, in the opinion of the local government a nuisance, or

(ii) to keep in a clean condition, in such manner as may be prescribed by the notice, any receptacle or filth or sewage accumulating on the land or in the building, or

(iii) to prevent the water of any private latrine, urinal, sink or bath-room or any other offensive matter, from soaking, draining or flowing, or being put, from the land or building upon any street or other public place or into any water-course or other" specified water body or into any drain not intended for the purpose; or

(iv) to collect and deposit for removal by the conservancy establishment of the local government within such time and in such receptacle or place, situated at not more than thirty five meters from the nearest boundary of the premises, as may be specified in the notice, any offensive matter or rubbish which such person has allowed to accumulate or remain under, in or on such building or land; or

(b) require any person to desist from making or altering any drain leading into a public drain; or

(c) require any person having the control of a drain to cleanse, purify, repair or alter the same, or otherwise put it in good order, within such time as may be specified in the notice.

(3) Where any premises are without privy or urinal accommodation, or without adequate privy or urinal accommodation, or the privy or urinal is on any ground objectionable, the local government may, by notice, require the owner or occupier of such premises:

(a) to provide such such additional privy or urinal accommodation as may be specified in the notice;

(b) to remove the privy or urinal; and

(c) where there is any underground sewerage system to substitute connected privy or connected urinal accommodation for any service privy or service-urinal accommodation.

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(4) In case the owner or occupier of any building or land who has been served notice under sub-paragraph (3), fails to make arrangements to the satisfaction of the local authority for the matter referred to in this paragraph, the local government may undertake such roles and the cost so incurred shall be a tax recoverable under this Act from the owner or occupier.

84. **Private latrines.**—A Local Council may, by notice in writing:

(a) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or

(b) where any plan for the construction of private latrines or urinals has been approved by the local government and copies thereof may be obtained free of charge on application—

(i) require any person repairing or constructing any private latrine or urinal not to allow the same to be used until it has been inspected by or under the direction of the local government and approved by it as conforming with such plan; or

(ii) require any person having control of any private latrine or urinal to re-build or alter the same in accordance with such plan; or

(c) require the owner or other person having the control of any such private latrine or urinal which, in the opinion of the local government constitutes a nuisance, to remove the latrine or urinal; or

(d) require any person having the control whether as own, lessee or occupier of any land or building—

(i) to have any latrines provided for the same Coveral by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighborhood, or

(ii) to keep such latrine or urinal in proper state to the satisfaction of the local government and shall employ such staff for the purpose as may be necessary or as may be specified by the local government.

(e) require any person being the owner and having the control of any drain to provide, within ten days from the service of the notice, such covering as may be specified in the notice.

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85. **Infectious diseases.**—(1) A Local Council shall adopt measures to prevent infectious diseases and to restrain infection within its local area.

(2) A Local Council shall establish and maintain one or more hospitals for the reception and treatment of persons suffering from infectious diseases.

86. **Medical aid and relief and medical education.**—A Local Council may take such measures as may be necessary or as may be specified by the Government for:

(a) the provision, maintenance and management of First Aid Centers;

(b) the provision, maintenance and management of mobile medical aid units;

(c) the provision and encouragement of societies for the provisions of medical aid;

(d) the payment of grants to institutions for medical relief; and

(e) the medical checkup of school children.

87. **Bathing and washing places.**—(1) A Local Council may from time to time:

(a) set apart suitable places for use by the public for bathing;

(b) specify the time at which and the sex of 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 hamam or a bath for public use except under a license granted by the local government, and in conformity with the conditions and terms of such license.

Public Safety

88. **Fire-fighting.**—(1) For the prevention and extinction of fires, the local 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 necessary.

(2) A Local Council shall prepare fire-fighting plan and revise it at least once a year.

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89. **Civil defense.**—A Local Council shall be responsible for the civil defense of its local area, and shall in this behalf, perform such functions as may be specified by Government.

90. **Floods.**—For the fighting of floods, rescuing of people from the flood affected areas, and affording relief to flood-skricken people, the local government shall provide such boats, appliaricesand equipments as may be specified by Government.

Registration of Births. Deaths. Marriages and Divorces

91. **Birth, deaths etc.**—A Local Council shall register all births, deaths, marriages and divorces within the limits of its local area and information of such births, deaths, marriages and divorces shall be given by such persons or authorities, and shall be registered in such manner, as the byelaws may provide.

Social Welfare and Community Development

92. **Social welfare.**—(1) A Local Council may:

(a) establish, manage and maintain welfare homes, asylums, orphanages, widow homes and other institutions for the distressed;

(b) provide for the burial or cremation of unidentified dead bodies within its local area at its own expense;

(c) adopt such measures as may be specified by Government 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; and

(e) adopt such measures as may be prescribed for the promotion of the welfare of backward classes, families of the persons serving in the armed forces, women and children.

Streets and Streets Lighting

93. **Public streets.**—(1) A Local Council shall provide and maintain such public streets and other means of public communications as may be necessary.

(2) A Local Council shall, in the manner prescribed, prepare and execute a road maintenance and development programme.

94. **Streets.**—(1) No new street shall be laid out except with the previous sanction of the local government and in conformity with the terms and conditions of such sanction.

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(2) All streets other than public streets shall be maintained in such manner as the byelaws may provide.

(3) A Local Council may, by notice, require that any street may be paved, metalled, drained, channeled, approved or lighted in such manner as may be specified and in the event of default, the local government may have the necessary work done through its agency and the cost so incurred shall be deemed to be a tax levied on the person concerned under this Act.

(4) Government may prescribe the manner in which a street other than a public street may be converted into a public street.

95. **Street lighting and electrification.**—(1) A Local Council shall take such measures as may be necessary for the proper lighting of the public streets and other public places vested in the local government by oil, gas, electricity or such other illuminant as the local government may determine.

(2) The local government shall also provide or cause to be provided electricity in coordination with the concerned department to its local area for public and private purposes.

(3) A Local Council may frame and enforce street lighting and electrification schemes.

96. **Street watering.**—A Local Council shall take such measures as may be necessary for the watering of public streets for the comfort and convenience of the public, and may, for this purpose, maintain such vehicles, staff and other apparatus as may be necessary.

Trades and Occupations

97. **Provision of washing places.**—(1) A Local Council may provide suitable places for the exercise by washer-men of their calling, and may require payment of such fees as may be prescribed by the Local Council.

(2) Where the local government has provided such places as aforesaid it may, by public notice, prohibit the washing of clothes by washer-men at any other place within that part of the local area:

Provided that such prohibition shall not be deemed to apply to the washing by a washer-man of his own clothes or of the clothes of any other person who is an occupier of the place at which they are washed.

98. **Licenses required for carrying on of certain occupation.**—(1) No person of any of the following classes, namely:

(a) butchers and vendors of poultry, game or fish;

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(b) persons keeping milk cattle or milk goats for profit;

(c) persons keeping for profit any animal other than milk cattle or milk goats;

(d) dairymen, butter men and vendors of ghee;

(e) vendors of fruit or vegetables;

(f) manufacturers of ice or ice-cream, and vendors of the same;

(g) vendors of medicines, drugs or articles of food or drink for human consumption (other than milk, butter, bread, biscuits, cake, fruit, vegetables, aerated or other potable water or ice or ice-cream) which are of a perishable nature;

(h) vendors of water to be used for drinking purposes;

(i) washermen;

(j) persons carrying on any trade or occupation from which offensive or unwholesome smells arise;

(k) vendors of wheat, rice and other grain or of flour;

(l) makers and vendors of sweetmeats;

(m) barbers and keepers of shaving saloons; and

(n) any other trade and occupation specified in the bye-laws, or through public notice by Local Council from time to time;

(0) shall carryon his trade, calling or occupation in such part of a local area as may be designated by the Local Council unless he has applied for and obtained a license in this behalf from the local government.

(2) A license granted under sub- paragraph (1) shall be valis until the end of the year in which it is issued and the grants; such license shall not be withheld by the local government unless, it has reason to believe that the business which it is intended establish or maintain would be offensive or dangerous to the public.

(3) Notwithstanding anything contained in sub- paragraph (1):

(a) no person shall who was, at the commencement of this Act carrying on his trade, calling or occupation in any part of a local area shall be bound to apply for a license for carrying on such trade or occupation in that part until he has received from the local government not less than three months' notice in writing of his

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obligation to do so, and if the local government refuses to grant him a license, it shall pay compensation for any loss incurred by reason of such refusal;

(b) no person shall be required to take a license for the sale or storage of petroleum or for the sale or possession of required to take a license or such sale, storage or possession under any Federal or Gilgit-Baltistan Statute.

(4) A Local Council may charge fees for the grant of icenses under this paragraph.

99. **Conditions which may be attached to Licenses.**—A license granted to any person under paragraph 89 shall specify the part of the local area in which the licensee may carry on his trade, calling or occupation, and may regulate the hours and manner of transport within the local area of any specified articles intended for human consumption and may contain any other conditions which the local government thinks fit to impose in accordance with the byelaws made under this Act.

Transport and Traffic

100. **Traffic control.**—(1) A Local Council shall, by byelaws, make such arrangements for the control and regulation of traffic as may be necessary to prevent danger to and ensure the safety, convenience and comfort of the public.

(2) A Local Council may, provide for parking motors on such public places as may be determined by it.

101. **Public vehicle.**—(1) No person shall keep or let for hire or drive or propel, within the limits of the local area of the local government, any public vehicle, other than a motor vehicle, except under a license granted by the local government, and in conformity with the conditions of such license.

(2) No horse or other animal shall be used for drawing a public vehicle within the local area of the local government except under the license granted by the local government and in conformity with the conditions of such license.

(3) A Local Council shall, in such manner as the byelaws may provide and with the previous approval of Government, fix the rate of fares for the use of public vehicles, and no person plying a public vehicle shall charge a rate in excess thereof.

(4) In this paragraph, a "public vehicle" means any vehicle which ordinarily plies for hire.

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102. **Public ferries.**—(1) A Local Council may, by byelaws, provide for the licensing of boats and other vessels plying for hire in a public watercourse and may specify the terms and condition for the grant of licenses and the fees to be charged therefore.

(2) Government may declare any part of the public watercourse to be a public ferry and may entrust the management thereof to the local government which shall manage and operate the public ferry in such manner and levy such toll as may be necessary.

Water Supply

103. **Water supply.**—(1) A Local Council shall provide or cause to be provided to its local area a supply of wholesome water sufficient for public and private purposes.

(2) Where a piped water supply is provided, the local government shall supply water to private and public premises in such manner and on payment of such charges as the byelaws may provide.

104. **Private source of water supply.**—(1) All private sources of water supply within the local area of the local government local government.

(2) No new well, water-pump or any other source of water for drinking purposes, shall be dug, constructed or provided except with the sanction of the local government.

(3) A Local Council may, by notice, require the owner or any person having the control of any private source of water supply used for drinking purposes:

(a) to keep the same in good order and to clean it from time to time of silt, refuse and decaying matter;

(b) to protect the same from contamination in such manner as the local government directs; and

(c) if the water therein is proved to the satisfaction of the local government 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.

105. **Public watercourses.**—(1) A Local Council may, with the previous sanction of the Government, declare any source of water, river, spring, tank, pond or public stream, or any part thereof within its local area, which is not private property, to be a public watercourse.

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(2) A Local Council may, in respect of any public watercourse, provide such amenities, make such arrangements for lifesaving, execute such works, and subject to the provisions of any law for the time being in force relating to irrigation, drainage and navigation, regulate the use thereof, as the byelaws may provide.

106. **Tanks, ponds and low-lying areas.**—A Local Council may take such steps with regard to the excavation or re-excavation of tanks and ponds and the reclamation of low-lying areas as it thinks fit or, as the case may be, Government directs.

Sd/-
(WAZIR BAIG)
Speaker
Gilgit-Baltistan Legislative Assembly

Sd/-
(PIR SYED KARAM ALI SHAH)
Governor
Gilgit-Baltistan

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