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PART-I

GOVERNMENT OF SINDH
LAW DEPARTMENT
NOTIFICATION

Karachi dated the 7th September, 2012.

For No. S.Legis: 118/2012. The following Ordinance made by the Governor of Sindh is hereby published for general information:-

THE SINDH PEOPLES' LOCAL GOVERNMENT ORDINANCE 2012.

Sindh Ordinance No. VIII of 2012

AN ORDINANCE

to provide for and regulate the affairs of the local councils in the Province of Sindh;

WHEREAS it is expedient to devolve political power and decentralize administrative and financial authority to accountable local governments for good governance, effective delivery of services and transparent decision-making through institutionalized participation of the people at gross roots level;

AND WHEREAS the Provincial Assembly of Sindh is not in session and the Governor is satisfied that circumstances exist which render it necessary to take immediate action.

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Ext. I-179A

(503A)

Price Rs. 450.00

NOW, THEREFORE, in exercise of the powers conferred under clause (2) of Article 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance:-

CHAPTER I PRELIMINARY

1. **Short title, extent and commencement.**- (1) This Ordinance may be called the Sindh Peoples Local Government Ordinance, 2012.

(2) It shall come into force at once.

2. **Definitions.**- In this Ordinance, unless there is anything repugnant in the subject or context-

- (i) "body corporate" means a body having perpetual succession and a common seal, with power to acquire and hold movable and immovable property, and transfer any property held by it, and enter into any contract and may sue and be sued in its name;
- (ii) "budget" means an official statement of income and expenditure for a financial year;
- (iii) "building" includes any shop, house, hut, out-house, shed, stable or enclosure built of any material and used for any purpose, and also includes wall, well, veranda, platform, plinth, ramp and steps;
- (iv) "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;
- (v) "bye-laws" means the bye-laws made under this Ordinance;
- (vi) "Chairman and Vice Chairman" denotes a Chairman or as the case may be, Vice Chairman of District Council, Taluka Council, Town Council, Union Council and Union Committee;
- (vii) "Chief Officer" denotes Chief Officer Metropolitan Corporation, Chief Officer District Council, Chief Officer Taluka and Town Council;
- (viii) "Council" means a Metropolitan Council, District Council, Taluka Council, Town Council, Union Council, Union Committee;
- (ix) "decentralize or decentralized" means conferment by Government under this Ordinance of its administrative and financial authority for the operation, functioning and management of specified offices of the Provincial Government to the local councils;
- (x) "Deh" means a revenue estate declared under the Sindh Land Revenue Act, 1967;
- (xi) "dependent" means wholly or partially dependent parents, spouse, guardians, children, step and adopted children;

- (xii) "disaster" includes famine, flood, cyclone, fire, earthquake, drought, and damage caused by force majeure;
- (xiii) "district" means a district notified under the Sindh Land Revenue Act, 1967
- (xiv) "drain" includes a sewer, a house drain or a drain of any other description, used for carrying sullage or rain water;
- (xv) "Government" means the Government of Sindh;
- (xvi) "land" includes vacant land or on which any structure has been raised or is being raised or is covered with water or is under cultivation or is fallow or is barren and, in relation to a town improvement scheme, includes land as defined in clause (a) of section 3 of the Land Acquisition Act, 1894 (Act No. IV of 1894);
- (xvii) "local area" means an area specified in Chapter II;
- (xviii) "mal-administration" means and includes –
 - (a) an act of omission or commission, a decision, process or recommendation, which –
 - (i) is contrary to the law, rules or regulations or is a departure from established practice or procedure, or
 - (ii) is arbitrary, biased, discriminatory, oppressive, perverse, unjust or unreasonable, or
 - (iii) is based on irrelevant grounds, or
 - (iv) involves the exercise of powers or the failure or refusal to do so, for corrupt or improper motives, such as administrative excess, bribery, favoritism, jobbery and nepotism;
 - (b) delay, inaction, incompetence, inefficiency, ineptitude or neglect, in the administration or discharge of duties and responsibilities; or
 - (c) repeated notices, prolonged hearings or unnecessary attendance while deciding cases; or
 - (d) avoidance of disciplinary action against an officer or official whose action is held by a competent authority to be biased, capricious, patently illegal or vindictive;
- (xix) "market" means a place notified as market under this Ordinance or any other law for the time being in force;
- (xx) "member" means an elected member of a council;