



GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING DEPARTMENT

Karachi, dated the 24th January, 2017

NOTIFICATION

No.RO(LG)/MISC:4(74)/2016: In exercise of the powers conferred by Section 138 of the Sindh Local Government Act, 2013, read with Section-120 and entry 22 of Schedule VII thereto, the Government of Sindh are pleased to make the following Rules:-

CHAPTER –I

PRELIMINARY

1. (1) These rules may be called the Provincial Local Government Commission (Conduct of Business) Rules, 2017. **Short title and commencement.**
 - (2) They shall come into force at once.
2. (1) In these Rules, unless the subject or context otherwise requires: **Definitions.**
 - (i) "Act" means the Sindh Local Government Act, 2013;
 - (ii) "Audit Officer" means a person appointed by the Commission to conduct special audit of a Local Council;
 - (iii) "business" means all work done by the Commission in pursuance of the provisions of the Act and the rules framed there under;
 - (iv) "Chairperson" means the Chairperson of the Commission;
 - (v) "Commission", means the Provincial Local Government Commission;
 - (vi) "Inspection" means the inspection of all the Local Councils conducted under these Rules;
 - (vii) "Inspecting officer" means the Chairperson, the member or the Secretary of the Commission or any officer authorized or appointed by the Commission for the purpose of inspection of Local Councils;
 - (viii) "Member" means the member of the Commission;

- (ix) "Province" means the province of Sindh;
- (x) "Secretary" means the Secretary of the Commission; and
- (xi) "special audit" means the special audit of the Local Councils ordered by the Commission.

(2) The Words and expressions used herein but not defined in these Rules shall have the same meanings as are assigned to them in the Act.

CHAPTER - II

CONDUCT OF BUSINESS OF THE COMMISSION

3. (1) The business of the Commission shall be conducted in its ordinary meeting:

Provided that the Chairperson may call a special meeting to consider any urgent matter or special items.

(2) An ordinary meeting of the Commission shall be held at least once in every month on the date and time fixed by the Chairperson:

Provided that, after recording reasons, the Chairperson may not hold an ordinary meeting for a particular month.

(3) The meeting shall be presided over by the Chairperson and in his/her absence by a member chosen for that purpose by the members present in the meeting.

(4) Intimation for the date and time of an ordinary meeting and a special meeting shall be sent to the members of the Commission at least seven days before an ordinary meeting and three days before special meeting.

(5) The Commission shall not be restrained from holding meeting and transacting its business merely because of a vacancy in the membership of the Commission:

Provided that at least one half of the existing members are present in the meeting.

(6) All decisions shall be taken by the majority of votes of the members present and voting:

Provided that in case of equality of votes the Chairperson shall have a casting vote.

(7) The minutes of a meeting shall be confirmed by the Commission in the subsequent meeting.

**Conduct of
business of the
Commission.**

4. (1)The agenda of the meeting shall be issued by the Secretary with the approval of the Chairperson. **Agenda.**

(2) The disposal of business shall be undertaken by the Commission in order as given in the agenda.

(3) Any member desirous of bringing any matter before the Commission for its consideration may, subject to approval by the Chairperson, get such matter included in the agenda by giving a prior notice of at least three days in case of an ordinary meeting and two days in case of a special meeting.

5. The Chairperson may distribute the business of the Commission regarding inspections, special audits and inquiries among the members of the Commission with regard to territorial or functional jurisdiction. **Division of business.**

6. (1) The executive authority of the Commission shall be exercised by the Chairperson through the Secretary. **Executive authority.**

(2) The correspondence on behalf of the Commission shall be authenticated under the signature of the Secretary or an officer authorized by him.

7. (1)The Commission, any of its members, an inquiry officer or an inspecting officer duly appointed by the Commission while conducting an inspection or holding an inquiry shall have the powers of civil court under section 27 of the Code of Civil Procedure, 1908 (Act V of 1908) in respect of the following matters: - **Powers of the Commission.**

- (i) summoning and enforcing the attendance of any person and examining him on oath;
- (ii) requiring the discovery and production of any document;
- (iii) receiving evidence on affidavits; and
- (iv) issuing commissions for the examination of witnesses or documents.

(2) The Commission, any of its members, an inquiry officer or inspecting officer duly appointed by the Commission shall have the power to require any person to furnish such information as may be useful for the subject matter of the inquiry or inspection.

(3) Any member, any officer authorized by the Commission, an inquiry officer or inspecting officer duly appointed by the Commission, may enter into any building for inspection, survey of immovable property, any work in progress under the supervision of local Government or place where there is reason to believe that any article, books of accounts or other documents relating to subject matter of inspection or inquiry are found and such officer or member shall take into custody or seal such article, things, books of accounts, documents or take extracts or copies from such books or documents.

(4) The proceedings under these Rules shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code, 1860 (XLV of 1860).

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

(6) The Government may, after serving a notice in leading daily newspaper and giving opportunity of hearing, remove a member of the Commission after recording reasons.

8. The annual budget of the Commission shall be within the authorized appropriation and control of the Secretary who shall, for this purpose exercise all the financial and administrative powers as are delegated to Administrative Secretary or Principal Accounting Officer of a department. **Finances.**

9. (1) The Local Government, Housing and Town Planning Department shall establish a separate secretariat of the Commission and shall render assistance in the proper functioning of the Commission. **Secretariat.**

(2) Without prejudice to the generality of this provision, the Secretariat shall be responsible for-

- (i) the proper functioning of the Commission and shall provide all assistance to the members and Chairperson of the Commission;
- (ii) preparation of working paper and its circulation amongst the member and recording minutes of the meeting of the Commission;
- (iii) implementation and monitoring of the decision of the Commission.

