

NOTIFICATION.

Dated Quetta, the 1st August, 2023.

No.PAB/Legis:V(06)/2023/148. The Balochistan Local Government (Amendment) Bill, 2023 (Bill No. 06 of 2023), having been passed by the Provincial Assembly of Balochistan on 22nd July, 2023 and assented to by the Governor Balochistan, on 31st July, 2023 is hereby published as an Act of the Balochistan Provincial Assembly.

**THE BALOCHISTAN LOCAL GOVERNMENT (AMENDMENT) ACT, 2023
ACT NO. VI OF 2023.**

**AN
ACT**

further to amend the Balochistan Local Government Act, 2010 (Act V of 2010).

Preamble.

WHEREAS, it is expedient further to amend the Balochistan Local Government Act, 2010 (Act No. V of 2010), for the purpose hereinafter appearing.

It is hereby enacted as follows: -

Short title and commencement.

1. (1) This Act may be called the Balochistan Local Government (Amendment) Act, 2023.
- (2) It shall come into force at once.

Insertion of new Section 24A in Act V of 2010.

2. In the Balochistan Local Government Act, 2010 (Act V of 2010) hereinafter referred to as the said Act, after Section 24, the following new Section along with the heading shall be inserted: -

“24-A. Disqualification on grounds of defection, etc.”

- (1) If a member of a party composed of a single political party in a local council —
 - a) resigns from membership of his political party or joins another political party; or
 - b) votes or abstains from voting in the local council contrary to any direction issued by the Party to which he belongs, in relation to —
 - (i) election of the Mayor or the Deputy Mayor, Chairman or the Vice Chairman as the case may be, or election of candidates nominated against reserved seats; or

- (ii) a vote of confidence or a vote of no-confidence; or
- (iii) approval of budget of a local council; or
- (iv) any legislation by the local council—

he may be declared, in writing, by the Party Head to have been defected from the political party, and the Party Head may forward a copy of the declaration to the Presiding Officer and the Secretary Local Government Department and shall similarly forward a copy thereof to the member concerned:

Provided that a political party becomes a Party of the Council when it has party members elected to a local council:

Provided further that before making the declaration, the Party Head shall provide such member with an opportunity to show cause as to why such declaration may not be made against him.

Explanation, — “Party Head” means any person, by whatever name called, declared as such by the Party.

(2) A member of a local council shall be deemed to be a member of a Party if he, having been elected as a candidate or nominee of a political party which constitutes the Party of the Council in the local council or, having been elected otherwise than as a candidate or nominee of a political party, has become a member of such Party of the Council after such election by means of a declaration in writing.

(3) Upon receipt of the declaration under clause (1), the Presiding Officer shall within two days refer, and in case he fails to do so it shall be deemed that he has referred, the declaration to the Secretary Local Government Department for its decision thereon confirming the declaration or otherwise within thirty days of its receipt.

(4) Where the Secretary Local Government Department confirms the declaration, the member referred to in clause (1) shall cease to be a member of the local council and his seat shall become vacant.

(5) Any party aggrieved by the decision of the Secretary Local Government Department may, within thirty days, prefer an appeal to the High Court which shall decide the matter accordingly.

(TAHIR SHAH KAKAR)
Secretary.

No.PAB/Legis:V(06)/2023/148.

Dated Quetta, the 1st August, 2023.

A copy is forwarded to the Chief Controller, Government Printing Press, Balochistan, Quetta for favour of publication in the next issue of Balochistan Gazette. Before final printing, a copy thereof be sent to this Secretariat for proof reading. Fifty copies of the Act may please be supplied to this Secretariat for record.

(ABDUL REHMAN)
Special Secretary (Legis:)

No.PAB/Legis:V(06)/2023/148.

Dated Quetta, the 1st August, 2023.

A Copy is forwarded for information and necessary action: -

1. The Principal Secretary to Governor Balochistan, Quetta.
2. The Principal Secretary to Chief Minister Balochistan, Quetta.
3. The Secretary Government of Balochistan, Local Government Department, Quetta.
4. The Secretary, Government of Balochistan, Law and Parliamentary Affairs Department, Quetta.
5. The Director General, Public Relations, Balochistan, Quetta.
6. The System Analyst, Balochistan Provincial Assembly.
7. P.S. to Secretary, Balochistan Provincial Assembly.

Special Secretary (Legis:)