

**A KEY TO  
THE SINDH LOCAL GOVERNMENT ORDINANCE, 2001  
(as amended upto June 6, 2005)**

**CHAPTER I  
PRELIMINARY**

	<b>Subject</b>	<b>Page</b>
<b>Section-1</b>	<b>Short title, extent and commencement</b>	<b>2</b>
Sub-Section-1	Ordinance may be called the Sindh Local Government Ordinance, 2001	<b>2</b>
Sub-Section-2	It extends to the whole of the Province of Sindh other than the areas notified as Cantonments	<b>2</b>
Sub-Section-3	It shall come into force on the fourteenth day of August, 2001, except Section 39(k), Chapter XVII and Section 196(1)(ii) of Chapter XIX	<b>2</b>
Proviso	Order of the Governor in Section 120 (D) (6) shall remain in force as notified	<b>2</b>
<b>Section-2</b>	<b>Definitions</b>	<b>2</b>
Sub-Section (i)	'body corporate'	<b>2</b>
Sub-Section (ii)	'budget'	<b>2</b>
Sub-Section (iii)	'building'	<b>2</b>
Sub-Section (iv)	'building line'	<b>2</b>
Sub-Section (v)	'bye-laws'	<b>2</b>
Sub-Section (vi)	'Council'	<b>2</b>
Sub-Section (vii)	'decentralise' or decentralised	<b>2</b>
Sub-Section (viii)	'dependent'	<b>2</b>
Sub-Section (ix)	'disaster'	<b>2</b>
Sub-Section (x)	'district'	<b>2</b>
Sub-Section (xi)	'drain'	<b>3</b>
<i>Sub-Section (xii)</i>	<b>omitted</b>	<b>3</b>
Sub-Section (xiii)	'Government'	<b>3</b>
Sub-Section (xiv)	'land'	<b>3</b>
Sub-Section (xv)	'local area'	<b>3</b>
Sub-Section (xvi)	'local government' includes	<b>3</b>
Clause (a)	a Distt. Govt. or a City District Government and Zila Council;	<b>3</b>
Clause (b)	a Taluka Municipal Administration and Taluka Council;	<b>3</b>
Clause (c)	a Town Municipal Administration and Town Council; and	<b>3</b>
Clause (d)	a Union Administration and Union Council;	<b>3</b>
Sub-Section (xvii)	'mal-administration' means and includes-	<b>3</b>
Clause (a)	an act of omission or commission, a decision,.....which is	<b>3</b>
Sub-Clause (i)	contrary to the law, rules or regulation or	<b>3</b>
Sub-Clause (ii)	arbitrary, biased, discriminatory, oppressive, perverse, unjust or unreasonable, or	<b>3</b>
Sub-Clause (iii)	based on irrelevant grounds or	<b>3</b>
Sub-Clause (iv)	involves the exercise of powers or the failure or refusal to do so, for corrupt or improper motives,	<b>3</b>
Clause (b)	delay, inaction, incompetence, inefficiency, ineptitude or	<b>3</b>

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Clause (c)	repeated notices, prolonged hearings or	<b>3</b>
Clause (d)	avoidance of disciplinary action against an officer or official whose action is held to be biased	<b>3</b>
Sub-Section (xviii)	'market'	<b>3</b>
Sub-Section (xix)	'member'	<b>3</b>
Sub-Section (xx)	'deh'	<b>3</b>
Sub-Section (xx-a)	'misconduct' means and includes	<b>4</b>
Clause (a)	gross negligence in performance of duties	<b>4</b>
Clause (b)	an act that results in wrongful gain to any person	<b>4</b>
Clause (c)	making or managing appointment, promotion or transfer in violation of law or rules	<b>4</b>
Sub-Section (xxi)	'municipal offences'	<b>4</b>
Sub-Section (xxii)	'municipal services'	<b>4</b>
Sub-Section (xxiii)	'Naib Nazim'	<b>4</b>
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Sub-Section (xxv)	'Neighbourhood'	<b>4</b>
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Sub-Section (xxvii-c)	"Provincial Consolidated Fund"	<b>4</b>
Sub-Section (xxvii-d)	"Provincial Retained Amount"	<b>4</b>
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Sub-Section (xxxi)	'Tax'	<b>5</b>
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Sub-Section (xxxiii)	'Taluqa Municipal Administration'	<b>5</b>
Sub-Section (xxxiv)	'Town'	<b>5</b>
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Sub-Section (xxxix)	'Water Reservoir'	<b>5</b>
Sub-Section (xl)	'Work'	<b>5</b>
Sub-Section (xli)	'Worker'	<b>5</b>
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## CHAPTER II LOCAL AREAS AND LOCAL GOVERNMENTS

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(a)	The area of a Union shall be a territorial unity	<b>6</b>
(b)	The boundaries of a Union shall not cross Taluka/Town	<b>6</b>
(c)	The area of a Union in a Taluka shall comprised a whole number of tapedari circle	<b>6</b>
(d)	The area of a Union in a City District shall comprised a whole number of census blocks and dehs; and	<b>6</b>
(e)	The population of Unions within a District more or less, be uniform	<b>6</b>
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<b>Section-7</b>	<b>Delimitation of Talukas and Districts</b>	<b>6</b>
<b>Section-8</b>	<b>Creation of a City District</b>	<b>6</b>
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Clause (b)	The economy thereof Is largely oriented to commercial.....	<b>7</b>
Clause (c)	The existing Administrative and Municipal Infrastructure therein have become inadequate for efficient service delivery	<b>7</b>
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<b>Section-9</b>	<b>Setting up of a Town</b>	<b>7</b>
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Sub-Section (4)	If any action is required against the concerned Nazim, the Zila Nazim recall against such Nazim as per Sections 62 and 84	<b>72</b>
<b>Section-136</b>	<b>Enquiries</b>	<b>72</b>
Sub-Section (1)	The Zila Nazim may require any Taluka/Town Nazim or Union Nazim in the District to conduct an enquiry and report to the Zila Nazim	<b>72</b>
Sub-Section (1-A)	Where the Zila Nazim is not satisfied with the conduct of enquiry he may arrange for an independent enquiry by an officer of the District Government	<b>72</b>
Sub-Section (2)	The Zila Nazim shall advise the concerned Nazim to take appropriate action on the report within thirty days and place it before the respective Council for information	<b>72</b>
<b>Section-137</b>	<b>Transparency</b>	<b>72</b>
Sub-Section (1)	Every citizen shall have the right to information about any office	<b>72</b>
Sub-Section (2)	Every office shall provide requisite information,.....	<b>72</b>
Sub-Section (3)	Information about the staffing and the performance of a Local Government be displayed at a prominent place access by the citizens	<b>72</b>
<b>Section-138</b>	<b>Monitoring by Committees</b>	<b>72</b>
Sub-Section (1)	The Monitoring Committees elected by the Zila Council shall be responsible for monitoring the functioning of the offices and preparing quarterly evaluation reports	<b>72</b>
Sub-Section (2)	The Monitoring Committees of Taluka/Town Council shall be responsible for monitoring the functioning of the offices of the District Government, TMA and UA and preparing quarterly evaluation reports	<b>72</b>
Sub-Section (3)	The Monitoring Committees of Union Council shall be responsible for monitoring the functioning of all offices for delivery of services within its area and preparing quarterly evaluation reports	<b>72</b>
Sub-Section (4)	The reports referred to in sub-sections (1) to (3) shall, in particular, the performance of each office in relation to -	<b>73</b>
Clause (a)	achievement of its targets;	<b>73</b>
Clause (b)	responsiveness to citizens' difficulties;	<b>73</b>
Clause (c)	efficiency in the delivery of services; and	<b>73</b>
Clause (d)	transparent functioning.	<b>73</b>

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Sub-Section (5)	The Monitoring Committees shall submit their quarterly reports to the respective Councils to take necessary action	<b>73</b>
Sub-Section (6)	The Monitoring Committees shall function without interfering in the offices of the Local Governments and shall not cause any harassment, and control of such offices	<b>73</b>
Sub-Section (7)	Notwithstanding any punishment provided in any law, any member of the Monitoring Committee violating the provisions of sub-sections (5) and (6) shall be removed from the Monitoring Committee by the respective Council	<b>73</b>
Sub-Section (8)	any misbehavior, a member of a Monitoring Committee may report to the Ethics Committee and may invoke disqualification against such member	<b>73</b>
Sub-Section (9)	The concerned Monitoring Committee may recommend the payment of bonuses to the Local Governments in recognition of their efficient performance, subject to availability of funds	<b>73</b>
Sub-Section (10)	The Monitoring Committee may identify of Local Governments and report to the concerned Nazim for appropriate action and the Nazim shall inform the concerned Council within thirty days	<b>73</b>
<b>Section-139</b>	<b>Ethics Committees (Code of Conduct Committees) of the Councils</b>	<b>73</b>
Sub-Section (1)	There shall be an Ethics Committee in each Council consisting of such number of members as the Council may determine	<b>73</b>
Sub-Section (2)	The Ethics Committee shall ensure adherence of all members of the Councils, Nazims and Naib Nazims to the prescribed code of ethics	<b>73</b>
Sub-Section (3)	The Ethics Committee shall monitor the conduct of the elected representatives and report to the concerned Council	<b>73</b>
Sub-Section (4)	On receipt of a report under sub-section (3), a Council may, invoke proceedings of disqualification against such member.	<b>73</b>
<b>Section-140</b>	<b>Zila Mushavirat Committee</b>	<b>73</b>
Sub-Section (1)	There shall be a Zila Mushavirat Committee consisting of the Zila Nazim, Naib Zila Nazim and all Taluka/Town Nazims in the District	<b>73</b>
Sub-Section (2)	The Zila Nazim shall be the Chairman and DCO shall act as its Secretary	<b>73</b>
Sub-Section (3)	The Zila Mushavirat Committee shall meet at least once or when called into meeting by the Zila Nazim or request of any two members of the Committee	<b>74</b>
Sub-Section (4)	The functions of the Zila Mushavirat Committee shall be-	<b>74</b>
Clause (a)	to crystalline vision for integrated development of the District,	<b>74</b>
Clause (b)	to priorities and co-ordinate inter-Taluka development plans,	<b>74</b>
Clause (c)	to resolve intra-District disputes;	<b>74</b>
Clause (d)	to muster resources for crisis management; and	<b>74</b>
Clause (e)	to set directions for realizing economic potential of the District.	<b>74</b>

## CHAPTER XV-A DISTRICT SERVICE

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<b>Section-140-A</b>	<b>Creation of District Service</b>	<b>75</b>
Sub-Section (1)	Any other law, rules or service contract in force, the Government in District, create all posts of Local Governments grouped into District and Taluka cadres for decentralized Local Government functions and groups of offices for promotion and performance not later than the 31st December, 2005	<b>75</b>

**CHAPTER XVI**  
**LOCAL GOVERNMENT RESPONSIBILITY FOR**  
**ENFORCEMENT OF LAWS**

	<b>Subject</b>	<b>Page</b>
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Clause (b)	Part-II of the Fourth Schedule shall be punishable with imprisonment which may extend to six months	<b>76</b>
Clause (c)	The Eighth Schedule shall in the first instance, be liable to fine by issuing a ticket	<b>76</b>
Proviso	Provided that the concerned Nazim may, with the approval of the Council and by notification exempt any area from the application of this provision	<b>76</b>
Sub-Section (3)	The offences specified in clause (a) of sub-section (2) shall be cognizable	<b>76</b>
Sub-Section (4)	A Court shall take cognizance	<b>76</b>
Sub-Section (5)	The offences specified in Part-II of the Fourth Schedule and Eighth Schedule shall be tried in a summary manner	<b>76</b>
Sub-Section (6)	The laws specified in the Tenth Schedule shall be enforced by the Local Governments indicated against each	<b>76</b>
Sub-Section (7)	The Federal or Provincial Government may entrust to a Local Government the enforcement of any other law	<b>76</b>
Sub-Section (8)	The fines collected under sub-section (6) and sub-section (7) shall be deposited under separate receipt head	<b>77</b>
Sub-Section (9)	The Government shall appoint one or more Magistrates	<b>77</b>
<b>Explanation</b>	The Court shall mean the Court of a Magistrate	<b>77</b>
<b>Section-142</b>	<b>Appointment and Control of Inspectors</b>	<b>77</b>
Sub-Section (1)	The concerned Nazim shall indicating the number of Inspectors required to exercise jurisdiction over the specific category of offences	<b>77</b>
Proviso	Provided it shall not affect the appointment of the Inspectors appointed of the Local Governments before coming into the force of this Chapter	<b>77</b>
Sub-Section (2)	The officials specified against each offence shall be the Controlling Authority	<b>77</b>
Proviso	Provided that a Taluka or Town Municipal Administration may request the District Government for providing District officials	<b>77</b>
Proviso	Provided further that the Taluka and Town officers specified in the Fourth and Eighth Schedules shall recommend the available officials of decentralized Public Health Engineering Department	<b>77</b>
<b>Section-143</b>	<b>Imposition of fine through ticketing</b>	<b>77</b>
Sub-Section (1)	Where any person, is contravening any provision of the law relating to the offences the Inspector shall charge the accused	<b>77</b>
Sub-Section (2)	The ticket referred to shall be issued in quadruplicate	<b>77</b>

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Sub-Section (3)	The payment of fine may be deposited in the assigned Post Office or a branch of the National Bank of Pakistan	77
Proviso	Provided that an accused may contest the imposition of fine	78
Sub-Section (4)	The Bank or Post Office or the Accountant of Local Government shall provide two copies of ticket to accused	78
Sub-Section (5)	The accused shall deliver one copy of duly paid ticket to the concerned Inspector	78
Sub-Section (6)	The fines imposed by a Court for the offenses shall on collection be deposited under a separate head	78
<b>Section-144</b>	<b>Performance bonuses for Inspector, etc</b>	<b>78</b>
Sub-Section (1)	The total amount collected on account of fines and penalties, shall be utilized as under:-	78
Clause (a)	25% shall be paid by the Accountant of Local Government as an incentive bonus	78
Proviso	<i>Provided that such payments to Inspector shall be included as an addition in the pay slip</i>	78
Clause (b)	25% shall be set apart for improvement of the regulatory functions of the system	78
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Sub-Section (3)	On first date of hearing, the accused appears before the Court and produces the proof of deposit of fine	78
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<b>Section-146</b>	<b>Compounding of Offences</b>	<b>79</b>
Proviso	Provided that no case in respect of any offence pending	79
Proviso	Provided further that an offence shall not be compounded	79
Proviso	Provided also that the accused shall be given an opportunity of being heard	79
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<b>Section-146-B</b>	<b>Registers, monthly reports, etc</b>	<b>79</b>
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<b>Section-146-D</b>	<b>General powers of Inspectors</b>	<b>80</b>
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Clause (a)	suspend any work;	80

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Clause (b)	seize the goods;	<b>80</b>
Clause (c)	seal the premises;	<b>80</b>
Clause (d)	demolish or remove work	<b>80</b>
Clause (e)	issue directions for taking corrective measures	<b>80</b>
Proviso	Provided that no Inspector shall enter any residential premises with the permission or occupier or owner or Court	<b>80</b>
Sub-Section (2)	An Inspector shall have the powers to	<b>80</b>
Clause (a)	issue notices in writing on behalf of the Local Government	<b>80</b>
Clause (b)	initiate legal proceedings in the competent Court	<b>80</b>
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## CHAPTER XVII LOCAL GOVERNMENT ELECTIONS

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Sub-Section (1)	Members of a Union Council including Union Nazim and Union Naib Nazim shall be elected through.....	<b>81</b>
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<b>Section-151</b>	<b>Delimitation of electoral wards</b>	<b>81</b>
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Sub-Section (2)	The electoral ward for the election of a Naib Zila Nazim, Naib Taluka/Town Nazim shall be the respective Council	<b>81</b>
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<b>Section-152</b>	<b>Qualifications for candidates and elected members</b>	<b>82</b>
Sub-Section (1)	A person shall qualify to be elected or to hold an elective office if he	<b>82</b>
Clause (a)	is a citizen of Pakistan;	<b>82</b>
Clause (b)	is at least twenty five years of age;	<b>82</b>
Clause (c)	is enrolled as a voter in the electoral rolls of the relevant ward;	<b>82</b>
Clause (d)	is of good character and is not commonly known as one who violates Islamic injunction	<b>82</b>
Proviso	These qualification shall not applied on non-muslim	<b>82</b>
Clause (e)	has academic qualifications of not less than matriculation.....	<b>82</b>
Clause (f)	has not been declared by a competent Court to be of unsound	<b>82</b>
Clause (g)	is not in the service of the Federal, a Provincial or a Local Govt.	<b>82</b>
Proviso	In case of a person who has resigned or retired, a period of not less then 6 months has elapsed	<b>82</b>

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Clause (h)	has not been dismissed, removed or compulsorily retired.....	<b>82</b>
Clause (i)	does not possess assets	<b>82</b>
Clause (j)	has not been adjudged a willful default of any tax	<b>82</b>
Clause (k)	has not been convicted by a Court of competent jurisdiction	<b>82</b>
Clause (l)	has not been sentenced to imprisonment for more than 3 years	<b>82</b>
Clause (m)	has not failed to file the required return of election expenses	<b>82</b>
Clause (n)	has not been declared an un-discharged insolvent by any Court	<b>82</b>
Clause (o)	does not engage in any transaction involving pecuniary interest	<b>83</b>
Clause (p)	does not absent himself without reasonable cause from three consecutive meetings	<b>83</b>
Proviso	A member shall not be disqualified if the absence was necessitated by a national emergency	<b>83</b>
Clause (q)	does not fail to attend a training course	<b>83</b>
Clause (r)	has not been and has not involved, in activities prejudicial to....	<b>83</b>
Clause (s)	has not used, directly or indirectly, for his election the platform,..... support of political.... Organization	<b>83</b>
Sub-Section (2)	Whoever-	<b>83</b>
Clause (a)	is found by the Chief Election Commissioner to have contravened the provisions shall stand disqualified	<b>83</b>
Clause (b)	having been elected as a member of a Local Government is found by the Chief Election Commissioner to have contravened the provisions shall cease forthwith to be an elected member	<b>83</b>
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<b>Section-154</b>	<b>Elections of Nazims etc</b>	<b>83</b>
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Sub-Section (2)	A Union Nazim and Naib Union Nazim securing highest number of votes shall be declared elected	<b>83</b>
<b>Section-155</b>	<b>Allocation of reserved seats</b>	<b>83</b>
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Sub-Section (2)	A Taluka/Town in the District shall be a multi-member ward for the reserved seats for women in Zila/Taluka/Town Council	<b>83</b>
Sub-Section (3)	A District shall be a multi-member ward for the reserved seats for peasants/workers/minority in Zila Council	<b>83</b>
<b>Section-156</b>	<b>Election to vacant seats</b>	<b>84</b>
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Sub-Section (2)	If any seat reserved for women remains vacant,	<b>84</b>
Sub-Section (3)	All by-elections shall be held once a year	<b>84</b>
Sub-Section (3-A)	The period of one year referred to in sub-section (3) shall be computed from the date of assumption of office	<b>84</b>
Proviso	In a year in which general elections are to be held, the by-election may be held within eighteen months	<b>84</b>

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Sub-Section (4)	A vacancy of Union Nazim or Naib Union Nazim shall be filled within 120 days	<b>84</b>
Sub-Section (5)	A vacancy of Zila Nazim, Taluka Nazim or Town Nazim shall be filled within 120 days	<b>84</b>
Sub-Section (6)	When the office of a Zila Nazim, Taluka Nazim or Town Nazim falls vacant, the members of Council shall elect an officiating Nazim from amongst its member	<b>84</b>
Proviso	The officiating Nazim shall not be a candidate in the by-election	<b>84</b>
Sub-Section (7)	When the office of a Union Nazim falls vacant, the members of the Council shall elect an officiating Nazim from amongst its member	<b>84</b>
Proviso	The officiating Nazim shall not be a candidate in the by-election	<b>84</b>
Sub-Section (8)	A vacancy of Naib Zila Nazim, Naib Taluka Nazim or Naib Town Nazim, shall be filled in within ten days	<b>84</b>
<b>Section-157</b>	<b>Electoral Rolls</b>	<b>84</b>
Sub-Section (1)	A person shall be entitled to be enrolled as a voter if he—	<b>84</b>
Clause (a)	is a citizen of Pakistan;	<b>84</b>
Clause (b)	is not less than eighteen years of age on first day of January	<b>84</b>
Clause (c)	fulfills such other conditions as the Chief Election Commissioner	<b>84</b>
Sub-Section (2)	The electoral rolls for the Local Government elections shall be prepared by the Chief Election Commissioner	<b>84</b>
<b>Section-158</b>	<b>Bar against Nazims for dual membership etc</b>	<b>85</b>
Sub-Section (1)	A Zila Nazim, Naib Zila Nazim, Taluka Nazim, Naib Taluka Nazim, Town Nazim, Naib Town Nazim, Union Nazim and Naib Union Nazim may contest election	<b>85</b>
Proviso	A member of Zila/Taluka/Town/Union Councils may contest election for any other political office without resigning	<b>85</b>
Proviso	Such member shall not hold more than one office	<b>85</b>
Sub-Section (2)	Nothing in sub-section (1) shall apply to a Union Nazim or Naib Union Nazim	<b>85</b>
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Proviso	Notwithstanding the expiry of its term of office, shall continue to hold office until the successor assumes office	<b>85</b>
Sub-Section (2)	The Government shall notify the assumption of offices of the Local Governments	<b>85</b>
Sub-Section (3)	A Zila Nazim/Naib Zila Nazim, Taluka/Town Nazim/Naib Taluka/Town Nazim, Union Nazim or a Naib Union Nazim shall not hold the same office for more than Two terms	<b>85</b>
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Sub-Section (1)	Where proceedings of disqualification under Section 152 have been initiated on.....	<b>85</b>
Sub-Section (2)	Where the Election Commission or an authority authorised by it is not satisfied with the reply to the notice to show cause.....	<b>85</b>
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Proviso	Before an order of removal is passed, the member, Nazim/Naib Nazim against whom enquiry proceedings are carried out shall be afforded a reasonable opportunity of being heard,	<b>86</b>
<b>Section-162</b>	<b>Resignations by member of the Council</b>	<b>86</b>
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Sub-Section (2)	Copies of all resignations shall be forwarded to the Election Commission and the Government	<b>86</b>
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<b>Section-163</b>	<b>Omitted</b>	<b>86</b>
<b>Section-164</b>	<b>Notifications to be issued</b>	<b>86</b>
<b>Section-165</b>	<b>Corrupt Practice</b>	<b>86</b>
<b>Section-166</b>	<b>Bribery (A person is guilty if he)</b>	<b>86</b>
Sub-Section (a)	receives, agrees or contracts for any gratification for voting or retiring from, an election	<b>86</b>
Sub-Section (b)	gives, offers or promises any gratification to any person for the purpose of -	<b>86</b>
Clause (i)	inducing a person to be.....a candidate at an election;	<b>86</b>
Clause (ii)	inducing a voter to vote or refrain from voting at any election;	<b>86</b>
Clause (iii)	inducing a candidate to withdraw or retire from an election;	<b>86</b>
Clause (iv)	rewarding a person for having been a candidate at an election;	<b>86</b>
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<b>Explanation</b>	In this Section, 'gratification' includes a gratification in money or employment for reward	<b>86</b>
<b>Section-167</b>	<b>Personating</b>	<b>87</b>
<b>Section-168</b>	<b>Undue Influence (A person is guilty if he)</b>	<b>87</b>
Sub-Section (a)	in order to compel any person to vote, any person to withdraw his candidature at an election, directly or indirectly, by himself	<b>87</b>
Clause (i)	makes or threatens to make use of any force, violence.....	<b>87</b>

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Clause (ii)	inflicts or threatens to inflict any injury, damage, harm or loss;or	<b>87</b>
Clause (iii)	uses, any official influence or Governmental patronage; or	<b>87</b>
Sub-Section (b)	on account of any person having voted or refrained from voting, does any of the acts specified in clause (a), or	<b>87</b>
Sub-Section (c)	by abduction, duress or any fraudulent device or contrivance-	<b>87</b>
Clause (i)	impedes or prevents the free exercise of the franchise by a voter;	<b>87</b>
Clause (ii)	compels, induces or prevails upon any voter to refrain from voting or compels any voter to vote	<b>87</b>
<b>Explanation</b>	In this Section, 'harm' includes social ostracism or excommunication or expulsion from any caste or community	<b>87</b>
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Sub-Section (b)	votes or applies for a ballot paper for voting at an election knowing that he is not qualified for voting	<b>87</b>
Sub-Section (c)	votes or applies for a ballot paper for voting more than once at any polling station	<b>87</b>
Sub-Section (d)	removes a ballot paper or a ballot box from a polling station	<b>87</b>
Sub-Section (e)	procures any person to do any of the aforesaid acts;	<b>87</b>
Sub-Section (f)	fails to provide statement of election expenses	<b>87</b>
Sub-Section (g)	makes or publishes a false statement-	<b>87</b>
Clause (i)	concerning the personal character of a candidate or his relation calculated to adversely affect the election of such candidate, did believe, the statement to be true	<b>87</b>
Clause (ii)	relating to the symbol of a candidate	<b>88</b>
Clause (iii)	regarding the withdrawal of a candidate;	<b>88</b>
Sub-Section (h)	knowingly, in order to support or oppose a candidate, lets, lends, employs, hires, borrows or uses any vehicle or vessel for the purpose of conveying voters to or any member of the household to which he belongs to	<b>88</b>
Sub-Section (i)	Causes or attempts to cause any person present and waiting	<b>88</b>
<b>Section-170</b>	<b>(PROHIBITION OF CANVASSING) A person is guilty of offence punishable with fine, if he on the poling day.</b>	<b>88</b>
Sub-Section (a)	convenes, calls or organizes within a ward any meeting; or	<b>88</b>
Sub-Section (b)	within a radius of two hundred meters of the polling station-	<b>88</b>
Clause (i)	canvasses for votes;	<b>88</b>
Clause (ii)	Solicits vote of any voter;	<b>88</b>
Clause (iii)	persuades any voter not to vote at the election	<b>88</b>
Clause (iv)	exhibits, except with the permission of the Returning Officer and at a place reserved for the candidate or discourage the voters from voting, for any contesting candidate	<b>88</b>
<b>Section-171</b>	<b>(DISORDERLY CONDUCT NEAR POLLING STATION) A person is guilty if he is-</b>	<b>88</b>
Sub-Section (a)	uses, in such manner as to be audible within the polling station any gramophone, megaphone, loudspeaker	<b>88</b>
Sub-Section (b)	persistently shouts in such manner as to be audible within the polling station; or	<b>88</b>
Sub-Section (c)	does any act which-	<b>88</b>

	<b>Subject</b>	<b>Page</b>
Clause (i)	disturbs or causes annoyance to any voter visiting a polling station for the purpose of voting; or	<b>88</b>
Clause (ii)	interferes with the performance of the duty of a Presiding Officer, Polling Officer or any other person	<b>88</b>
Sub-Section (d)	abets the doing of any of the aforesaid acts.	<b>88</b>
<b>Section-172</b>	<b>(TAMPERING WITH PAPERS) A person is guilty if he-</b>	<b>88</b>
Sub-Section (a)	fraudulently defaces or destroys any nomination paper or ballot paper;	<b>89</b>
Sub-Section (b)	fraudulently takes out of the polling station any ballot paper or puts into any ballot box any ballot paper	<b>89</b>
Sub-Section (c)	without due authority-	<b>89</b>
Clause (i)	supplies any ballot paper to any person;	<b>89</b>
Clause (ii)	destroys, takes, opens or otherwise interferes with any ballot box or ballot papers in use for the purpose of election; or	<b>89</b>
Clause (iii)	breaks any seal affixed in accordance with the provisions	<b>89</b>
Sub-Section (d)	causes any delay or completion of the procedure required to be immediately carried out on the close of the poll; or	<b>89</b>
Sub-Section (e)	without due authority attempts to do any of the aforesaid acts	<b>89</b>
<b>Section-173</b>	<b>(INTERFERENCE WITH THE SECRECY OF VOTING) A person is guilty if he-</b>	<b>89</b>
Sub-Section (1)	attempts to interfere with a voter when he records his vote;	<b>89</b>
Sub-Section (2)	in any manner obtains or information as to the candidate for whom a voter in that station is about to vote or has voted, or	<b>89</b>
Sub-Section (3)	communicates at any time as to the candidate for whom a voter in that station is about to vote or has voted.	<b>89</b>
<b>Section-174</b>	<b>(FAILURE TO MAINTAIN SECRECY) Any candidate or polling agent if he--</b>	<b>89</b>
Sub-Section (a)	fails to maintain or aid in maintaining the secrecy of voting; or	<b>89</b>
Sub-Section (b)	communicates any information obtained at the counting of votes as to the candidate	<b>89</b>
<b>Section-175</b>	<b>(CONDUCT OF OFFICIALS) A Presiding Officer, Polling Officer..... during the conduct or management of an election at the polling station</b>	<b>89</b>
Sub-Section (a)	persuades any person to give his vote;	<b>89</b>
Sub-Section (b)	dissuades any person from giving his vote;	<b>89</b>
Sub-Section (c)	influences in any manner the voting of any person;	<b>89</b>
Sub-Section (d)	does any other act calculated to further	<b>89</b>
Sub-Section (e)	fails to maintain or aid in maintaining the secrecy of voting;	<b>90</b>
Sub-Section (f)	communicates, except for any purpose authorised by any law,	<b>90</b>
Sub-Section (g)	communicates any information obtained at the counting of votes as to the candidate	<b>90</b>
<b>Section-176</b>	<b>(BREACH OF OFFICIAL DUTY) A Presiding Officer or any other person employed by any such Officer in connection with his official duties</b>	<b>90</b>
<b>Section-177</b>	<b>(ASSISTANCE BY GOVERNMENT SERVANTS) A person in the service is guilty of an offence punishable with imprisonment for a term, in any manner, gives any assistance calculated to further or hinder the election of a candidate.</b>	<b>90</b>

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<b>Section-178</b>	<b>SUMMARY TRIAL</b>	<b>90</b>
<b>Section-179</b>	<b>COGNIZANCE</b>	<b>90</b>
<b>Section-179-A</b>	<b>CONDUCT of ELECTIONS</b>	<b>90</b>
Sub-Section (1)	For the elections to be held in 2005, immediately on notification of the Schedule for elections by the Chief Election Commissioner, Zila/Taluka/Town/Union Councils shall stand dissolved	<b>90</b>
Sub-Section (2)	Within 24 hours of the announcement of the Schedule for elections by the Chief Election Commissioner, the Chief Secretary shall appoint Government officers as Care-takers	<b>90</b>
Sub-Section (3)	The elected members of Zila/Taluka/Town/Union Councils, and Zila/Taluka/Town/Union Nazims shall assume the charge of offices within seven days of the Notification of the result	<b>90</b>
Sub-Section (4)	During the election period Care-takers are looking after the affairs of the Local Governments, no new scheme shall be initiated	<b>90</b>
Sub-Section (5)	This Section shall only be for the elections 2005 and be deemed to be omitted from this Ordinance	<b>90</b>

## CHAPTER XVIII MANAGING TRANSITION

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<b>Section-180</b>	<b>Succession of the properties, assets and liabilities</b>	<b>91</b>
Sub-Section (1)	properties, assets and liabilities shall be succeeded by the following Local Governments	<b>91</b>
Clause (a)	City Distt. Government in the case of Metropolitan Corporation	<b>91</b>
Clause (b)	District Government in the case of District Council;	<b>91</b>
Clause (c)	Taluka Municipal Admn. In the case of Municipal Corporations,	<b>91</b>
Clause (d)	Union Administration in the case of Union Councils:	<b>91</b>
Proviso	Liabilities shall be discharge with the existing arrangements	<b>91</b>
Proviso	Discharge of liabilities of the decentralized office shall remain with Government	<b>91</b>
Sub-Section (2)	Funds of a Metropolitan Corporation, Municipal Corporation, shall be transfer to a Local Government as its successor	<b>91</b>
<b>Section-181</b>	<b>First Nazims and Councils</b>	<b>91</b>
Sub-Section (1)	First Local Governments shall be established on 14 <sup>th</sup> Aug, 2001.	<b>91</b>
Sub-Section (2)	Zila Nazims shall assume the office as head of District Government	<b>91</b>
Sub-Section (3)	Taluka Nazims and Town Nazims shall assume office as head of Taluka/Town Administration	<b>91</b>
Sub-Section (4)	Union Nazims shall assume office as head of Union Admn.	<b>91</b>
Sub-Section (5)	Government shall make arrangements of accommodation for offices of the Local Governments	<b>91</b>
<b>Section-181-A</b>	<b>Internal recall of Nazims</b>	<b>91</b>
<b>Section-182</b>	<b>Administrative Transition</b>	<b>92</b>
Sub-Section (1)	Any office, authority set-up by the Government shall continue providing services during the decentralization process	<b>92</b>
Sub-Section (2)	Authority of Municipal Body Set-up under SLGO, 1979, shall continue to perform their duties until transferred to any other Local Government	<b>92</b>
Sub-Section (3)	Subject to the provisions of sub-sections (1) and (2), the control of the development authorities shall vest in following local government	<b>92</b>
Clause (a)	Development uthorities, Water and Sanitation Agencies or Boards, and Solid Waste Management Bodies; City District Government	<b>92</b>
Clause (b)	Development Authorities District Government	<b>92</b>
Clause (c)	Water and Sanitation Agencies/Boards and Solid Waste and Management Bodies. District Government	<b>92</b>
Sub-Section (4)	The Government shall commence closing down the operations of divisional offices and shall cease on 31 <sup>st</sup> December, 2001	<b>92</b>
Sub-Section (5)	The Government shall, decentralized powers to the DDO, DO, EDO, DCO	<b>92</b>
Sub-Section (6)	The District Governments shall appropriately re-organize the Authorities in accordance with Section 52	<b>92</b>
<b>Section-183</b>	<b>Employees salaries not to be reduced on transfer,etc</b>	<b>92</b>

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Sub-Section (1)	On allocation, re-allocation or transfer of the employees salaries etc shall not be reduce	<b>92</b>
Sub-Section (2)	The Government shall ensure the payment of salaries,	<b>92</b>
<b>Section-184</b>	<b>Bar on recruitments</b>	<b>93</b>
Sub-Section (1)	During the transition period no fresh recruitment shall be made	<b>93</b>
Sub-Section (2)	The Government shall make available the services of the employees	<b>93</b>
Sub-Section (3)	The Local Governments shall utilize the services of the employees of LCS	<b>93</b>
<b>Section-185</b>	<b>Financial transition</b>	<b>93</b>
Sub-Section (1)	All taxes, cess, fees, rates, rents, tolls and charges which were being charged, levied and collected by any office of the Government, or any Local Council, levied and collected under this Ordinance	<b>93</b>
Sub-Section (2)	Where any Local Council established under the repealed SLGO, 1979 (XII of 1979), was receiving any grant or any tax in lieu of octroi shall continue to receive such grant	<b>93</b>
Sub-Section (3)	Notwithstanding anything contained in Sections 109 and 119, for the fiscal year 2001-2002, the Local Governments may not set apart fifty percent of the development budget for utilization specified therein	<b>93</b>
Proviso	the development schemes proposed by the Citizen Community Boards shall be given priority	<b>93</b>
<b>Section-186</b>	<b>Electoral transition</b>	<b>93</b>
Sub-Section (1)	The First Zila Councils, Taluka/Town/Union Councils constituted under this Ordinance shall be deemed to be validly constituted if sixty percent seats thereof are filled in the elections held under the SLGEO, 2000 (X of 2000)	<b>93</b>
Sub-Section (1-A)	Where Local Council has been validly constituted but seats of Nazim and Naib Nazim have not been filled, the Council shall elect officiating Nazim and Naib Nazim	<b>93</b>
Sub-Section (2)	Any Local Area in which this Ordinance is in force but a relevant Local Government is not validly constituted due to a natural calamity, Government, may empower any person or any of the functions of that Local Government under this Ordinance,	<b>93</b>
<b>Section-187</b>	<b>Transitional timeframe</b>	<b>93</b>

## CHAPTER XIX MISCELLANEOUS

	Subject	Page
<b>Section-188</b>	<b>(Complaint cell) Every District Government, Taluka/Town Municipal Administration and Union Administration shall set up a complaint cell</b>	<b>94</b>
<b>Section-189</b>	<b>(Training) The Nazims, Naib Nazims and members of the Councils shall attend training courses for such periods</b>	<b>94</b>
<b>Section-190</b>	<b>(Appeals) Any person aggrieved by any order passed by a Local Government or its functionaries, in pursuance of this Ordinance made thereunder may appeal to such authority,</b>	<b>94</b>
<b>Section-191</b>	<b>Rules</b>	<b>94</b>
Sub-Section (1)	Government may, by notification in official Gazette, make rules	<b>94</b>
Sub-Section (2)	In particular and without prejudice to the generality of the foregoing power, any of the matters specified in Part-I (5 <sup>th</sup> Schedule)	<b>94</b>
Sub-Section (3)	The rules made shall be subject to previous publication in the official Gazette, shall meet the following considerations	<b>94</b>
Clause (a)	consistency with democratic decentralization and subsidiarity;	<b>94</b>
Clause (b)	enhancement of welfare of the people;	<b>94</b>
Clause (c)	fairness and clarity; and	<b>94</b>
Clause (d)	natural justice and due process of law.	<b>94</b>
<b>Section-192</b>	<b>Bye-laws</b>	<b>94</b>
Sub-Section (1)	A Zila Council, Taluka/Town/Union Council may, make bye-laws to carry out the purposes of this Ordinance	<b>94</b>
Sub-Section (2)	In particular & without prejudice to the generality of the foregoing power, any of the matters specified in Part-II(5 <sup>th</sup> Sch.)	<b>94</b>
<b>Section-193</b>	<b>Members And Servants To Be Public Servants</b>	<b>94</b>
<b>Section-193-A</b>	<b>(Delegation of powers) A Nazim may delegate any of his power (including financial powers) under this Ordinance</b>	<b>95</b>
<b>Section-194</b>	<b>(Action taken in good faith) No suit, prosecution, or other legal proceedings shall lie against any public servant serving in Local Governments</b>	<b>95</b>
<b>Section-195</b>	<b>General powers of Local Governments, etc</b>	<b>95</b>
<b>Section-196</b>	<b>Repeal and savings</b>	<b>95</b>
Sub-Section (1)	On commencement of this Ordinance.	<b>95</b>
Clause (i)	the SLGO, 1979 (XII of 1979), shall be repealed;	<b>95</b>
Clause (ii)	the SLG Elections Ord., 2000 (X of 2000), shall be repealed; &	<b>95</b>
Clause (iii)	all Metropolitan/Municipal Corporations, District Councils, Municipal/Town Committees and Union Councils created under the SLGO, 1979 (XII of 1979) shall stand dissolved	<b>95</b>
Sub-Section (2)	Save as otherwise specifically provided, nothing in the Ordinance, shall affect or issued, under or amended by this Ordinance and any such thing, or instrument shall, if in force at the commencement of this Ordinance and have effect as if it were respectively done, or issued under this Ordinance as amended by this Ordinance	<b>95</b>

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Proviso	The Local Government Boards established under the SLGO,1979 (VI of 1979), for the administration of officers and officials shall continue to function.	<b>95</b>
Sub-Section (3)	Notwithstanding the repeal of SLG Elections Ord., 2000 (X of 2000), all Nazims, Naib Nazims, and members elected under the said Ordinance and shall continue to hold their respective offices till the completion of their terms,	<b>95</b>
<b>Section-197</b>	<b>(Removal of difficulty) The Government may, by order, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Ordinance</b>	<b>95</b>
<b>Section-198</b>	<b>Amendment of Schedules</b>	<b>95</b>

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(under Sections 14 and 35)

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