

[AS PASSED BY THE MAJLIS-E-SHOORA (PARLIAMENT)]

A

BILL

further to amend the Delimitation of Constituencies Act, 1974

WHEREAS, it is expedient further to amend the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Delimitation of Constituencies (Amendment) Act, 2015.

(2) It shall come into force at once.

2. Amendment of section 2, Act XXXIV of 1974.- In the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), hereinafter referred to as the said Act, in section 2, after clause (b), the following new clauses shall be inserted, namely:-

"(bb) "local government" means a local government established under a Federal or a Provincial law relating to local government;

(bbb) "local government law" means a Federal or a Provincial law relating to local government;

(bbbb) "council" means a local council as defined in the respective Federal or Provincial local government laws;"

3. Insertion of new section, Act XXXIV of 1974.- (1) In the said Act, after section 3, the following new section shall be inserted, namely:-

"3A. Delimitation of constituencies for local government elections.- The Commission shall also delimit territorial constituencies for elections to the local governments in accordance with the provisions of the local government Act and the rules made thereunder of each province."

4. Amendment of section 8, Act XXXIV of 1974.- In the said Act, in section 8, after sub-section (5), the following new sub-section shall be added, namely:-

"(6) For the purpose of election to the local government, the Commission shall divide each local government into as many as separate territorial constituencies and the number of councils / seats for direct election as provided in the respective Federal or Provincial local government laws."

5. Amendment of section 10, Act XXXIV of 1974.- In the said Act, in section 10, in sub-section (2), for the word "or" occurring after the words "National Assembly", a comma "," shall be substituted and after the words "Provincial Assembly", the words "or a local council" shall be inserted.

6. Addition of new section, Act XXXIV of 1974.-In the said Act, after section 11, the following new section shall be added, namely:-

"12. Power to make rules.- The Commission may, with the approval of the President and by notification in the official gazette, make rules for carrying out the purposes of this Act."

STATEMENT OF OBJECTS AND REASONS

Under Article 140A of the Constitution the power to hold election of the local governments stand vested in the Election Commission of Pakistan. The Hon'ble Supreme Court of Pakistan in its decision dated 20-03-2014 in Civil Appeal No. 38 to 45/2014 and C.P. No. 297 of 2014, directed the Federal Government to make necessary enactment to empower the Election Commission of Pakistan to carry out the Delimitation of Constituencies of Local Government.

2. Accordingly, necessary amendment is being made in the Delimitation of Constituencies Act, 1974 (Act No. XXXIV of 1974).

The Bill is designed to achieve the aforesaid object.

SENATOR PERVAIZ RASHID
Minister-In-Charge