

**[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]**

**A**

**BILL**

*further to amend Islamabad Capital Territory Local Government Act, 2015*

**WHEREAS** it is expedient further to amend the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), for the purposes hereinafter appearing;

It is hereby enacted as follows: -

**1. Short title and commencement.-** (1) This Act may be called the Islamabad Capital Territory Local Government (Amendment) Act, 2017.

(2) It shall come into force at once.

**2. Amendment of section 11, Act X of 2015.—** In the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), hereinafter referred to as the said Act, in section 11.-

(i) in sub-section (1), in clause (i), for the word “joint”, the word “separate” shall be substituted.

(ii) in sub-section (1), in clause (ii), after the word “Councils”, the words “and Vice-Chairman” shall be added.

(iii) in sub-section (3), after the words “present and voting”, the words “and one member of the house shall cast only one vote to elect deputy mayors.”.

**3. Amendment of section 13, Act X of 2015.—** In the said Act, section 13 shall be omitted.

4. **Amendment of section 27, Act X of 2015.**— In the said Act, in section 27, for sub-section (4), the following shall be substituted, namely

(4) “If a Chairman of a union council is elected as mayor or the deputy mayor, he shall not cease to be the chairman of the union council and the seat of the union council shall not stand vacant.”

5. **Amendment of section 67, Act X of 2015.**—In the said Act.-

(i) for sub-section (2), the following shall be substituted, namely;

“(2) Meetings of the MCI shall be presided by a presiding officer who shall be a member of the house other than the mayor. The presiding officer shall be chosen by the members. ”

(ii) after sub-section (2), a new sub-section (2A) shall be inserted, namely:

“(2A) Meetings of the union council shall be presided by the vice-chairman.”

6. **Amendment of section 82, Act X of 2015.**—In the said Act, in section 82, in sub-section (1), a new clause (e) shall be added, namely:-

“(e) The total tax collected by the FBR under the Islamabad Capital Territory (Tax on Services) Ordinance 2001 along with the amendment 2016.”

7. **Amendment of section 89, Act X of 2015.**—In the said Act, in section 89, in sub-section (3), for the word “Government”, the words “Capital Finance Commission” shall be substituted.

8. **Amendment of section 91, Act X of 2015.**—In the said Act, in section 91, a new sub-section (3) shall be added, namely:

“(3) Capital Finance Commission shall be constituted by the government for distribution of funds between the MCI and Union Councils.”

9. **Amendment of section 95, Act X of 2015.**—In the said Act, section 95 shall be omitted.

10. **Amendment of section 96, Act X of 2015.**—In the said Act, section 96 shall be omitted.

11. **Amendment of section 97, Act X of 2015.**—In the said Act, section 97 shall be omitted.

12. **Amendment of section 98, Act X of 2015.**—In the said Act, section 98 shall be omitted.

13. **Amendment of section 115, Act X of 2015.**— In the said Act, in section 115, a new sub-section (4) shall be added, namely:

“(4) All the employees of the local government shall be appointed on the basis of local residence of the territory up to BPS 4.”.

14. **Amendment of section 117, Act X of 2015.**—In the said Act, in section 117, for the word “Government”, the word “Parliament” shall be substituted.

15. **Amendment of second schedule, Act X of 2015.**—In the said Act, in second schedule, after the entry no. (j), the following new entries shall be added, namely:-

- (s) enforce all municipal laws, rules and bye-laws governing its functioning;
- (t) execute and manage development plans;
- (u) prevent and remove encroachments;
- (v) regulate affixing of sign-boards and advertisements except where this function is being performed by the Capital Development Authority;
- (w) provide, manage, operate, maintain and improve the municipal infrastructure and services, including -
  - (i) water supply and control and development of water sources;
  - (ii) sewage and sewage treatment and disposal;
  - (iii) storm water drainage;
  - (iv) sanitation and solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes, treatment and disposal including landfill site and recycling plants;
  - (v) roads and streets;
  - (vi) street lighting;
  - (vii) playgrounds, open spaces, graveyards and arboriculture; and
  - (viii) slaughter houses;

- (x) develop and maintain museums, art galleries, libraries, community and cultural centers;
- (y) conserve historical and cultural assets;
- (z) maintain regional markets and commercial centers'
- (aa) collect approved taxes, fees, rates, rents, tolls, charges, fines and penalties;
- (bb) organize sports, cultural recreational events, fairs and shows, cattle fairs and cattle markets and regulate sale of animals;
- (cc) regulate markets and services and issue licenses, permits, grant permissions and impose penalties for violation thereof as and where applicable;
- (dd) manage properties, assets and funds vested in local government;
- (ee) develop and manage schemes;
- (ff) authorize an officer or officers to issue notice to a person committing any municipal offence and initiate legal proceedings for continuance of commission of such offence or for failure to comply with the directions contained in such notice;
- (gg) perform such other functions as may be prescribed."

**16. Amendment of fourth schedule, Act X of 2015.**—In the said Act, in fourth schedule, in Part-I.-

- (i) In entry no. 2, for the words "births and marriages", the words "births, deaths, marriages and divorce" shall be substituted.
- (ii) After entry (7), the following new entries shall be added, namely:
  - “(8) Conservancy rate
  - (9) Fee for licenses, sanctions and permits
  - (10) Fee on the slaughter of animals
  - (11) Tax on professions, trade, callings and employment.
  - (12) Tax on sale of animals in cattle markets.
  - (13) Toll tax on roads, bridges and ferries maintained by the Metropolitan Corporation.
  - (14) Fee at fairs and industrial exhibitions.
  - (15) Parking Fee.
  - (16) Water conservancy charge from the owner of occupier of a house

or any other building, except an educational institution having a swimming pool with a minimum surface area of 250 square feet.

(17) Tax on installation of Base Transceiver Station/Tower.”.

### **STATEMENT OF OBJECTS AND REASONS**

Islamabad Capital Territory Local Government Amendment Act 2017 is an act to rationalize and reorganize the local government system in federal capital of Pakistan.

This act is expedient to establish an elected Government system to devolve political, Administrative and Financial responsibility and authority to the elected representatives of the Local Government to fully comply with Article-140(A) of the Constitution. The main areas covered by the proposed bill are:-

1. Elimination of Non-elected LG Board & LG Commission;
2. Enhancement of powers of MCI;
3. Enhancement of powers of Union Councils;
4. Increased financial independence of both MCI and Union Councils;
5. Transparent Formula based distribution of MCI resources amongst the Union Councils through formation of a Capital Financial Commission;
6. Enhanced participation of Vice Chairman and Councilors;
7. Ensuring jobs for locals of Islamabad for positions up to BPS-4.

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Member National Assembly