

[AS] INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

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

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

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act shall be called the Islamabad Capital Territory Local Government (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of section 2, 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 2, in sub-section (1), after clause (e), the following new clause (ea) shall be inserted, namely:-

"(ea) "businessman" means a person who owns, establishes and engages for last three years in any trade, commerce, manufacture or concern having valid certificate of filing tax returns of last three years, but does not include employment in such business;"

3. Amendment of section 15, Act X of 2015.- In the said Act, in section 15, for sub-sections (2) and (3), the following shall be substituted, namely:-

"(2) Save as otherwise provided, the general members of the Union Council shall elect through secret ballot one woman, one peasant or worker or businessman or technocrat, one youth member and one non-Muslim member as mentioned at clauses (iii) to (vi) of section 11, in line with election programme issued by the Election Commission.

- (3) After completing the process of election under sub-section (2), the Election Commission shall issue an election programme to elect the Chairman and Vice Chairman as joint candidate through secret ballot. The Electoral College for election of the Chairman and Vice Chairman as joint candidate shall be members mentioned at clauses (ii) to (vi) of section 11:

Provided further that for the purposes of conduct of elections under sub-sections (2) and (3), the Election Commission shall appoint a returning officer or presiding officer, as the case may be."

STATEMENT OF OBJECTS AND REASONS

The brief facts leading to the amendments in Islamabad Capital Territory Local Government Act, 2015 are that Islamabad Capital Territory Local Government Act was promulgated in 2015 to establish an elected Local Government System. The term of Local Government of ICT expired on 14.02.2021. In order to complete necessary arrangements for conduct of Local Government Elections in Islamabad and on the directions of Election Commission of Pakistan, this Ministry processed a draft Bill for amendment in Section 17(3) of ICT Local Government Act, 2015 for replacement of the words " Representation of the Peoples Act, 1976 (LXXXV of 1976)" with " Elections Act, 2017 "

2. Accordingly, the Islamabad Capital Territory Local Government (Amendment) Act, 2024 received the assent of President of Pakistan on 29th August, 2024 and was published in the Gazette of Pakistan as an Act No.XVIII of 2024 on 30th August, 2024. Through this enactment, the Parliament, in addition to the proposed amendment in Section 17, made further amendments in Section 7, Section 11, Section 12 and Section 15 of the ICT Local Government (Amendment) Act, 2024 with an aim to effectively execute the true concept of Local Government.

3. In a meeting held in Election Commission of Pakistan on 11th September, 2024 regarding conduct of Local Government Elections in Islamabad Capital Territory, the amendments made by the Parliament through the Islamabad Capital Territory Local Government (Amendment) Act, 2024 were discussed in detail and it was decided that consequential amendments will be required in ICT Local Government Act, 2015 and Rules made thereunder.

4. Hence, amendments in Section 2 and Section 15 of ICT Local Government Act, 2015 have been proposed through the subject amendment Bill. Through amendment in Section 2, definition of word 'businessman' is being proposed to be inserted. The amendments in Section 15 have been proposed to include due role of ECP in Election process in line with the provisions of Constitution of Pakistan and Elections Act, 2017 and to specify mode of Election of Chairman and Vice Chairman of Union Council, i.e. through secret ballot.


(Syed Mohsin Raza Naqvi)
Minister for Interior