

LIST OF PROPOSED AMENDMENTS IN THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT (AMENDMENT) BILL, 2019.

GENERAL AMENDMENT

Mr. Inayat Ullah and Mr. Munawar Khan Advocate MsPA to move that for the words “Chairman”, “Chairmen”, “Convener” and “Conveners” wherever occurring in the Bill, the words “Nazim”, “Nazimeen”, “Naib Nazim” and “Naib Nazimeen” may be substituted, respectively.

CLAUSE 2

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 2 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 2 may be deleted and the remaining clauses may be renumbered, accordingly.
- 3. Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that for clause 2, the following may be substituted, namely,-

“2. General Amendment of Khyber Pakhtunkhwa Act No.XXVIII of 2013.---In the Khyber Pakhtunkhwa Local Government Act, 2013(Khyber Pakhtunkahwa Act No.XXVIII of 2013), hereinafter referred to as the said Act, for the word “Nazim” or “Nazimeen” wherever occurring, the word “Chairman” or “Chairmen”, as the case may be, shall be substituted.”

CLAUSE 3

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 3, paragraphs (a), (c), (d), (e), (f), (g), (h), (i) and (j) may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 3 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 4

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 4 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 4 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 5

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 5 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 5 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 6

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 6 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 6 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 7

Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA to move that in clause 7, sub-clause (6) may be deleted.

CLAUSE 8

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 8 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 8 may be deleted and the remaining clauses may be renumbered, accordingly.
- 3. Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that in clause 8, in the proposed section 8, the words “or Convenor” and “or Convenors” may be deleted.

CLAUSE 9

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 9, sub-clause (i) may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 9 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 11

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 11 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 11 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 12

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 12 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 12 may be deleted and the remaining clauses may be renumbered, accordingly.
3. **Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that in clause 12,
 - (a) in the proposed section 21, in sub-section (5), the words, “except for Peshawar District where there shall be two City Local Governments” may be deleted;
 - (b) in the proposed section 23A, in sub-section (1), the paragraph (q) may be renumbered as paragraph (r) and before paragraph (r) , as so renumbered, the following new paragraph may be inserted, namely:

“(q) nominate one of the members of the Tehsil Council to preside over meetings of the Tehsil Council and deputized him as Chairman during his temporary absence;” and
 - (c) in the proposed section 25, paragraph (a) may be deleted and thereafter the remaining paragraphs may be renumbered.

CLAUSE 13

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 13, in sub-section (2) of the proposed section 27, the word and hyphen “non-” may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 13, in sub-section (2) of the proposed section 27, for the words “non-party” , the word “party” may be substituted.

- 3. Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that in clause 13, in the proposed section 27, for sub-sections (3) and (4), the following may be substituted, namely;

“(3) The candidate securing highest number of votes in election to the general seats of the Village Council or the Neighbourhood Council, as the case may be, shall be the Chairman of the respective council:

Provided that if the required number of general members of village council or neighbourhood council have been elected unopposed, the election of Chairman of village council or neighbourhood council shall be conducted in the prescribed manner.

“(4) Executive Authority of the Village Council or Neighbourhood Council, as the case may be, shall vest in respective Chairman who may nominate one of the members of the Village Council or the Neighbourhood Council, as the case may be, to preside over meetings of the respective council and deputize him during his temporary absence.”

CLAUSE 14

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 14, sub-clauses (ii) and (iii) may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 14 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 15

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 15, sub-clause (2) may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 15 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 16

Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA to move that in clause 16, in the proposed clause (d) of section 32, after the word “development”, the words “and third party monitoring of developmental schemes of local governments in the manner to be prescribed” may be inserted.

CLAUSE 18

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 18, for sub-section (7) of the proposed section 35, the following may be substituted namely,-

“(7) If a budget is not approved by the local council, in terms of sub-section (2) within ten (10) days of its presentation or the council rejects the budget with a simple majority of its total membership, the Nazim shall submit the budget in the case of Village and Neighborhood Council to the Local Government Commission and in the case of District, Tehsil or Town Councils to the Government. The Local Government Commission and the Government, as the case may be, shall convey their approval within thirty days. The decision of the Local Government Commission and Government thereon shall be final.”

2. **Mr. Mehmood Ahmad MPA** to move that clause 18 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 20

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 20, sub-clause (i) may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 20 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 24

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 24, sub-clause (ii) may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 24 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 26

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 26, sub-clause (ii) may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 26 may be deleted and the remaining clauses may be renumbered, accordingly.

3. **Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that the existing clause 26 shall be renumbered as 25 and thereafter clauses 27, 28 and 29 shall be renumbered as clause 26, 27 and 28.
4. **Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that after clause 28, as so renumbered, the following new clause shall be inserted, namely:

“29. Amendment of section 59 of Khyber Pakhtunkhwa Act No. XXVIII of 2013. --- In the said Act, in section 59, in sub-section (3), for the comma and word “, the Naib Nazim”, the words “the member nominated under paragraph (q) of sub-section (1) of section 23A and sub-section (4) of section 27” shall be substituted.”

CLAUSE 27

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 27, the proposed sub-section (3) may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 27 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 28

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 28, sub-clause (i) may be deleted.
2. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 28, in sub-clause (ii) the proposed paragraph (d) may be deleted.
3. **Mr. Mehmood Ahmad MPA** to move that clause 28 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 31

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 31 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 31 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 32

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 32 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 32 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 35

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 35, in sub-section (2) of the proposed section 67, for the word “Tehsil”, the word “Respective” may be substituted.
2. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that in clause 35, sub-section (4) of the proposed section 67 may be deleted.
3. **Mr. Mehmood Ahmad MPA** to move that clause 35 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 37

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 37 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 37 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 38

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 38 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 38 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 39

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 39 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 39 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 40

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 40 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 40 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 41

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 41 may be deleted.
- 2. Mr. Mehmood Ahmad MPA** to move that clause 41 may be deleted and the remaining clauses may be renumbered, accordingly.
- 3. Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that in clause 41, in the proposed section 79,-
 - (a) in sub-section (2), the words “and a convenor” may be deleted;
 - (b) in sub-section (3), the comma and word “,convenors” may be deleted; and
 - (c) in sub-section (5), the words “and shall be presided over by the convenor” may be deleted.

CLAUSE 42

Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA to move that in clause 42, in sub-section (1) of the proposed section 80, the comma and word “,convenor” may be deleted.

CLAUSE 43

- 1. Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 43 may be deleted.
- 2. Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that clause 43, in sub-section (3) of the proposed section 81, for the word “convenor” , the words “by the member nominated under paragraph (q) of sub-section (1) of section 23A and sub-section (4) of section 27” may be substituted.

CLAUSE 44

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 44 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 44 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 46

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 46 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 46 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 47

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 47 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 47 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 49

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 49 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 49 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 50

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 50 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 50 may be deleted.
3. **Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** to move that in clause 50, for the word “convenors”, the words “the member presiding the meeting” may be substituted.

CLAUSE 51

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 51 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 51 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 52

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 52 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 52 may be deleted and the remaining clauses may be renumbered, accordingly.
3. **Mr. Muhammad Zahir Shah and Muhammad Arif, MsPA** in clause 52, for the word “convenors”, the words “the member presiding the meeting” may be substituted.

CLAUSE 53

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 53 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 53 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 56

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 56 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 56 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 57

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 57 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 57 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 60

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 60 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that in clause 60, in the proposed First Schedule, the entry (viii) may be deleted.

CLAUSE 61

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 61 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 61 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 62

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate, Mr. Sahibzada Sanaullah, and Ms. Nighat Yasmin Orakzai, MsPA** to move that clause 62 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 62 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 63

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate and Mr. Sahibzada Sanaullah, MsPA** to move that clause 63 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 63 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 64

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate and Mr. Sahibzada Sanaullah, MsPA** to move that clause 64 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 64 may be deleted and the remaining clauses may be renumbered, accordingly.

CLAUSE 65

1. **Mr. Inayat Ullah, Mr. Munawar Khan Advocate and Mr. Sahibzada Sanaullah, MsPA** to move that clause 65 may be deleted.
2. **Mr. Mehmood Ahmad MPA** to move that clause 65 may be deleted and the remaining clauses may be renumbered, accordingly.