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ORDINANCE No. XXVIII OF 2021

AN

ORDINANCE

*to reconstitute and rationalize the local governments system in
the Federal Capital Territory*

WHEREAS it is expedient to reconstitute local governments system in the Islamabad Capital Territory for effective discharge of certain public services and to provide for their authority and duties for this purpose, and matters connected therewith and ancillary thereto;

AND WHEREAS the Senate and the National Assembly are not in session and the President of the Islamic Republic of Pakistan is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:—

It is hereby enacted as follows:—

Introduction

Chapter-1

1. **Short title, extent and commencement.**—(1) This Ordinance shall be called the Islamabad Capital Territory Local Government Ordinance, 2021.

(2) It extends to the Islamabad Capital Territory except any area excluded by the Federal Government, by notification.

(3) It shall come into force at once.

2. **Definitions.**—(1) In this Ordinance, unless there is anything repugnant in the subject or context:—

- (i) "Administration" means the Islamabad Capital Territory Administration
- (ii) "Local Government Administration" consisting of Chief Officer, other officers and servants of the local government;
- (iii) "Administrator" means an officer appointed by the Federal Government to conduct the affairs and business of Local Governments when the Mayor or the Local Governments are either suspended or removed or have completed the tenure or when Mayor is yet to be elected under this Ordinance;
- (iv) "Auditor General" means the Auditor General of Pakistan appointed under the Constitution of the Islamic Republic of Pakistan;
- (v) "Authority" or "CDA" means the Capital Development Authority;

- (vi) "Authorized auditor" means any commercial auditor other than the Auditor General authorized by the Government to undertake extra ordinary audit of a local government;
- (vii) "Board" means Local Government Board constituted under this Ordinance;
- (viii) "Bye-laws" means bye-laws made under this Ordinance or made under the Capital Development Authority Ordinance, 1960 (XXIII of 1960) or the Municipal Administration Ordinance, 1960;
- (ix) "Candidate" means a candidate for election under this Ordinance;
- (x) "Census" means a population and housing census provisionally or finally published under the General Statistics (Reorganization) Act, 2011 (XIV of 2011);
- (xi) "Chairperson" means the Chairperson of a Neighborhood Council;
- (xii) "Chief Officer" means an officer of the local government who is the head of the administration and includes a Chief Corporation Officer who shall be the head of the administration of Islamabad Metropolitan Corporation;
- (xiii) "Circumstances of Emergency" means circumstances imminently endangering public health, safety, loss of life, significant or large scale harm to property and require an immediate action;
- (xiv) "Committee" means a committee of the council constituted under this Ordinance;
- (xv) "Convenor" means the Convenor of the council and in relation to the holding of a meeting of the council, shall also include a member or any other person presiding over the meeting on behalf of the Convenor;
- (xvi) "Contractual Appointment" means, appointed on contractual basis against regular posts and appointed on contractual basis against project posts;
- (xvii) "Court" includes the Court of Executive Magistrate or Municipal Magistrate, ICT;
- (xviii) "Council" means the council comprising the convenor and other members of a local government;