

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

A

Bill

to amend the Cantonments Ordinance, 2002

WHEREAS it is expedient to amend the Cantonments Ordinance, 2002 (CXXXVII of 2002), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

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

(2) It shall come into force at once.

2. Substitution of section 10, Ordinance CXXXVII of 2002.- In the Cantonments Ordinance, 2002 (CXXXVII of 2002), hereinafter referred to as the said Ordinance, for section 10, the following shall be substituted, namely:-

"10. Local area.- For the purposes of this Ordinance local area shall be the whole, of cantonment."

3. Substitution of section 11, Ordinance CXXXVII of 2002.- In the said Ordinance, for section 11, the following shall be substituted, namely:-

"11. Delimitation of wards of a cantonment.- (1) The Election Commission shall delimit a cantonment into wards in such a way that the number of wards is equal to the number of members to be elected on general seats of a Cantonment Board specified under section 13A of the Cantonments Act; 1924 (II of 1924).

(2) For the purposes of delimitation of wards of a cantonment,-

(a) a ward shall consist of a village or revenue estate or census block or adjoining census blocks as determined for purposes of the last preceding census or delimited and notified as such by the Election Commission;

(b) the boundaries, of a ward shall not cross the limits of the cantonment; and

(c) the population of wards within a cantonment shall, as far as possible, be uniform.

(3) The wards of a cantonment shall be delimited in accordance with this Ordinance and the rules made thereunder. As far as possible, principles of delimitation as laid down under the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), the rules made thereunder or any other law for the time being in force shall be followed."

4. Omission of section 17, Ordinance CXXXVII of 2002.- In the said Ordinance, section 17 shall be omitted.

5. Substitution of section 57, Ordinance CXXXVII of 2002.- In the said Ordinance, for section 57, the following shall be substituted, namely:-

"57. Franchise.- (1) The election of members to be elected on general seats of a Board shall be held on the basis of single member constituency and adult franchise through secret ballot.

(2) Members to the seats reserved for women, peasants, youth, workers and non-Muslims shall be elected in the prescribed manner by members of the Board elected in accordance with sub-section (1)."

6. Amendment of section 58, Ordinance CXXXVII of 2002.- In the said Ordinance, in section 58,-

(a) in sub-section (1),-

(i) for the words "All elections to the Union Council and the Board shall be organized and conducted by the President according to", the words "An election to a Board under this Ordinance shall be conducted by the Election Commission in accordance with the" shall be substituted; and

(ii) the proviso shall be omitted;

(b) after sub-section (1), amended as aforesaid, the following new sub-section shall be inserted and the existing sub-section (2) shall be re-numbered as sub-section (3), namely:-

"(2) The Election Commission shall, on receipt of a request in writing from the Federal Government, issue a programme for the conduct of elections in the cantonment Boards and shall fix the dates for filing of nomination papers; scrutiny, allotment of symbols and poll, etc.";

- (c) in sub-section (3), re-numbered as aforesaid, for the word "Government", the words "Election Commission" shall be substituted; and
- (d) after sub-section (3), renumber and amended as aforesaid, the following new sub-sections shall be added, namely:-

"(4) The Election Commission shall appoint as many returning officers and assistant returning officers as it may deem necessary, from amongst its own officers, the Federal Government, the provincial Government or an entity controlled by such governments.

(5) The Election Commission may issue any direction or instruction to carry out the effective implementation of the provisions of this Ordinance for the conduct of local government elections in the Cantonment Boards."

7. Substitution of section 59, Ordinance CXXXVII of 2002.-

In the said Ordinance, for section 59, the following shall be substituted, namely:-

"59. Indirect elections.- (1) Election to the seats reserved for women, peasants, youth, workers and non-Muslims shall immediately be held after the notification of the names of returned candidates on general seats.

(2) The members against seats reserved for women, peasants, youth, workers and non-Muslims shall be elected through secret ballot by the directly elected members.

(3) The elected members of a Board shall, amongst themselves, elect through secret ballot a vice-president of that Board".

8. Amendment of section 60, Ordinance CXXXVII of 2002.-

In the said Ordinance, in section 60,-

- (a) in sub-section (1),-