

THE WEST PAKISTAN MUNICIPAL COMMITTEES
(PROPERTY) RULES, 1962.

Contents

Rules.

- 1. Short Title and Commencement**
- 2. Definition.**
- 3. Property which shall vest in Municipal Committees.**
- 4. Management and maintenance of property steps.**
- 5. Property Development Scheme.**
- 6. Registration, verification, and stocktaking of Property and the maintenance of maps and plans thereof-**
- 7. Acquisition of property.**
- 8. Alienation of property.**
- 9. Use of municipal property.**
FORM-I (See Rule 6(a) Register of Movable Property.)
FORM-II (See Rule 6(b) Register of Immovable Property.)

PART I-A

**West Pakistan Government Notifications and Orders.
BASIC DEMOCRATICIES AND LOCAL GOVERNMENT DEPARTMENT
The 13th March, 1962.**

No.SOI(LG)38-Misc/61- In exercise of the powers conferred by section 121 of the Municipal Administration Ordinance, 1960 (X of 1960), read with item 22 of the Fourth Schedule thereto, the Governor of West Pakistan, is pleased to make the following rules, namely—

THE WEST PAKISTAN MUNICIPAL COMMITTEES (PROPERTY) RULES, 1962.

- 1. Short Title and Commencement--** (1) These rules shall be called the West Pakistan Municipal Committees (Property) Rules, 1962.
(2) They shall come into force at once.
- 2. Definitions--** In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say-
 - (a) "Form " means a form appended to these rules;
 - (b) "Department" means a Municipal Department; and
 - (c) "Ordinance" means the Municipal Administration Ordinance, 1960.
- 3. Property which shall vest in Municipal Committees-** Subject to any special reservations made, or any special conditions imposed, by Government, all property specified hereinafter shall vest in the Municipal Committee that is to say—
 - (a) all property which vested in any local authority declared to be the successor of the municipal committee under section 5 of the ordinance, immediately before such declaration;
 - (b) all property acquired by the municipal committee by gift, purchase, or otherwise for the purposes of the ordinance.
 - (c) all public buildings, including town halls, town walls and gates, which have been constructed or are maintained out of the municipal fund;
 - (d) all land, open spaces, play grounds, garden, parks and other places of public resort transferred to the Municipal Committee by Government or acquired by the Committee by gift, purchase, or otherwise for a public purposes;
 - (e) all public streets, bridges, and other means of public communication as are maintained out of the Municipal Fund;
 - (f) all drains, sewers, culverts and other channels for sullage (including the sullage) as are maintained out of the Municipal Fund;

(g) all refuse collected by the Municipal Committee, or deposited at places fixed by the Committee;

(h) all works for the disposal of refuse (including septic tanks, night-soil depots, trenching grounds and incinerators) maintained out of the Municipal Fund;

(i) all water works, water mains and pipes, stand posts, hydrants, water troughs and hand pumps maintained out of the Municipal Fund;

(j) all public lamps, lamps posts and other appliances for street lighting maintained out of the Municipal Fund;

(k) all trees, plants and flowers on all road sides and other places maintained out of the Municipal Fund; and

(l) any other property which may vest in a Municipal Committee under any law for the time being in force.

4.(1) A Municipal Committee shall take such Management and maintenance of property steps as may be necessary to ensure that the property vested in it is managed and maintained in the best interest of the public for the purposes of the ordinance and the rules and bye-laws made thereunder.

(2) A Municipal Committee may from time to time specify the property that shall be placed under the charge of the various Departments of the Committee, and the Head of the Departments concerned shall be the Manager with regard to the property placed under the charge of his Department.

(3) In managing municipal property, a Manager shall exercise the same amount of prudence as he would have exercised if such property had been his own property.

(4) A Manager shall be personally responsible for any loss, waste or misapplication of municipal property placed under his charge.

5. Property Development Scheme-- (1) A Municipal Committee may prepares a property Development Scheme which may among other matters provide for—

(a) collection and compilation of particulars of municipal property, the income accruing therefrom and the expenditure incurred thereon;

(b) proposal for development, including acquisition, if any;

(c) the financial implications of the proposals (including the manner in which the scheme shall be financed;

(d) the period during which the scheme shall be executed; and

(e) Such other particulars as may be necessary or may be required by the Controlling Authority.

(2) The scheme prepared under sub-rule (1) shall be published in the municipality for inviting objections and suggestion ns form the public, and the final scheme shall be prepared after taking such objections and suggestions into consideration.

(3) The scheme as finalized under sub-rule (2) shall be submitted to the Controlling Authority for sanction and the Controlling Authority may, with or without modifications, sanction or may refuse to sanction or may return for reconsideration any scheme or may call for further details or information about the scheme or may direct such further examination of the scheme as it may consider necessary.

(4) The Municipal Committee shall take such steps as may be necessary to implement the scheme or sanctioned by the Controlling Authority.

6. Registration, verification, and stocktaking of Property and the maintenance of maps and plans thereof-

Particulars of all property vesting in a Municipal Committee shall be entered—

- (a) In the case of movable property, in a register to be maintained in Form I:
and
- (b) In the case of immovable property, in a register to be maintained in Form II.

(2) Registers under sub-rule (1) shall be maintained by the Heads of the department in respect of the property under their respective control and by the Municipal Committees for the municipality as the whole.

(3) The Municipal Committee shall maintain a map of the municipality, showing among other things the immovable property vested in the committee. A copy of the map shall be kept available at the municipal office for inspection by the public during office hours.

(4) For every immovable property vesting in the Municipal Committee there shall be plan. These plans shall be kept as supplementary volumes to the registers maintained under sub-rule (2).

(5) During the month of July each year or such other period as may be fixed by the Controlling Authority every Head of Department shall—

- (a) take stock of the movable property under his charge;
- (b) verify the immovable property under his charge; and
- (c) submit a report to the Chairman showing the result of such stock-taking and verification, and the report shall among other matters indicate-
 - (i) particulars about unserviceable articles;
 - (ii) particulars about losses, if any;
 - (iii) causes of misapplication of property, if any;
 - (iv) particulars about the management and maintenance of property during the proceeding years; and
 - (v) proposals for development land improvement, if any;

(6) The reports from the various departments shall be consolidated by the Chairman, and the consolidated report shall be placed before the committee for such

action as may be necessary.

(7) All articles declared as unserviceable may be written off under the orders of the Chairman, and a list of such articles shall be put up to the Committee for information.

(8) Any loss of property, or any amount in connection with a property may be written off—

(a) by the Chairman, if the amount involved does not exceed Rs. 100 (rupees one hundred) in the case of second class municipality, and Rs. 200 (rupees two hundred) in the case of a first class municipality.

(b) by the Committee, if the amount involved does not exceed Rs. 1,000 (rupees one thousand) in the case of a second class municipality, and Rs. 2,000 (rupees two thousands) in the case of a first class municipality, and

(c) by the Controlling Authority, in other case.

7. Acquisition of property—(1) Whenever any land or other immovable property is required by a Municipal Committee for any of the purposes of the Ordinance or the rules or by-laws thereunder, the Chairman may take such steps as may be necessary to acquire the same by an agreement with the owner in the manner provided by the West Pakistan Municipal Committees (Contract) Rules, 1960.

(2) If any land or other immovable property required by a Municipal Committee cannot be acquired by an agreement under sub-rule (1), the Committee may move Government to acquire such land or property under the Land Acquisition Act, 1894, and Government may thereupon, take such action under the said Act as it may consider necessary; and where any lands or other immovable property has been acquired by Government under the provision of this sub-rule for a Municipal Committee, such land or other property shall, on payment by the Committee of the compensation awarded under the said Act, vest in the Committee.

8. Alienation of property-- Any movable property of a Municipal Committee may be disposed of by sale or otherwise in accordance with provisions of the West Pakistan Municipal Committees (Contracts) Rules, 1960.

(2) Notwithstanding anything to the contrary contained in the West Pakistan Municipal Committees (Contracts) Rules, 1960, any immovable property of a Municipal Committee may be leased, disposed of by sale or otherwise alienated by the Chairman.

(a) on his own authority, if the period of the lease does not exceed one year;

(b) with the previous sanction of the Municipal Committee, if the period of the lease is more than one year, but not more than three years;

(c) with the previous sanction of the Controlling Authority in any other case.

9. Use of municipal property-- (1) A Municipal Committee may, with the sanction of the Controlling Authority, specify--

- (a) the properties, movable and immovable, the use whereof could be permitted to the public or which could be let on hire; and
- (b) the terms and conditions (including the charges) to be levied for such use or hire.
- (2) No property of Municipal Committee, whether movable or immovable, shall be used by any official or member of the Committee, except for official purposes.

By order of the Governor of West Pakistan.
ASLAM ABDULLAH KHAN Secy.

FORM I
SEE RULE 6(a)
Register of Movable property

Serial No.	Description of property	Date of purchase	Price	Manner of use	Disposal-manner date and price fetched	REMARKS
------------	-------------------------	------------------	-------	---------------	--	---------

FORM II
SEE RULE 6(b)
Register of Immovable Property

- (1) Serial No.
- (2) Description of Property.
- (3) Situation and boundaries.
- (4) Area.
- (5) Settlement and Jamabandi No.
- (6) Date of acquisition and the manner of acquisition.
- (7) Price paid at the time of acquisition.
- (8) Date of registration.
- (9) Conditions subject to which the property is held.
- (10) Main particulars about the history of the property.
- (11) Improvements made in the property since acquisition.
- (12) Mode of occupation, and the purpose for which used.
- (13) If leased, give the details of the lease over-leaf.
- (14) If any expenditure is incurred on maintenance give the details overleaf.
- (15) Details of encroachments, if any, and action taken to remove them.
- (16) Annual verifications, give the details overleaf.
- (17) Estimated value of the property.
- (18) Miscellaneous particulars.
- (19) Signature of the Manager.

(1)

THE GAZETTE OF WEST PAKISTAN
LAHORE, FRIDAY, MARCH 23, 1962.

