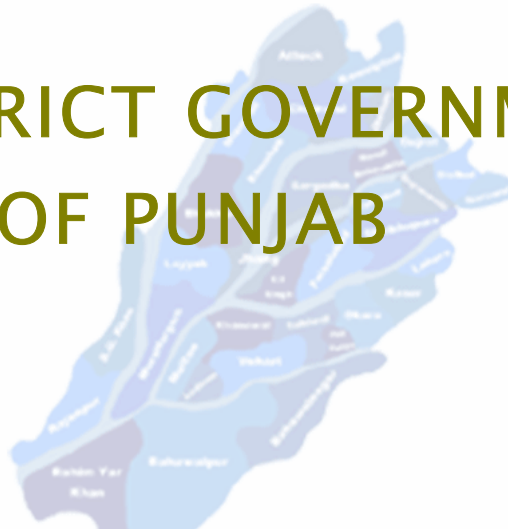


# MODEL BYLAWS

## FOR DISTRICT GOVERNMENTS OF PUNJAB



**Prepared FOR**

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**GENERAL CATEGORY**



**THE ZILA COUNCIL**  
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# THE ZILA COUNCIL

## CONDUCT OF BUSINESS AND MEETINGS

### BYLAWS, 2007

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# **THE ZILA COUNCIL**

## **CONDUCT OF BUSINESS AND MEETINGS**

### **BYLAWS, 2007**

**WHEREAS**, it is expedient to make bylaws for conduct of business and meetings of the district council to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame Conduct Of Business And Meetings;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

**1. Short Title Extent and Commencement.** (1) These bylaws may be called the Zila Council..... Conduct of Business and Meetings Bylaws, 2007.

(2) They shall extend to the local areas of the District Government.....

(3) They shall come into force at once.

**2. Definitions.**

(1) In these bylaws, unless the context otherwise requires,-

- (a) “**Budget**” means an official statement of income and expenditure for financial year;
- (b) “**Chairperson**” means the Chairperson of a Committee or an elected person, who may have the Authority to chair the meetings of the Committee;
- (c) “**Clause**” means a clause of these bylaws;
- (d) “**Committee**” means a Committee constituted by the Council;
- (e) “**Council**”, means the Zila Council.....;
- (f) “**He**” or “**His**” includes she or, as the case may be, her;
- (g) “**Motion**” means a proposal made by the member relating to any matter which may be discussed in the Council and includes a resolution and amendment thereto;
- (h) “**Ordinance**” means the Punjab Local Government Ordinance, 2001 (Punjab Ordinance XIII of 2001)
- (i) “**Nazim and Naib Nazim**” means the Zila Nazim and Naib Zila Nazim respectively;
- (j) “**Convener**” means the Naib Zila Nazim; and in his absence a member from the panel of presiding officers, in order of precedence.
- (k) “**Presiding Officer**” means the Naib Zila Nazim; and in his absence a member from the panel of presiding officers, in order of precedence;
- (l) “**Secretary**” means the Secretary of the Council and includes any person for the time being performing the duties of the Secretary;
- (m) “**Section**” means a section of the Punjab Local Government Ordinance 2001;
- (n) “**Session**” means the period commencing the day on which a Council first meets after having been summoned and ending the day on which the session prorogued;
- (o) “**Sitting**” means the meeting of a Council or any of its Committees from the commencement of its business to the termination of business for the day;
- (p) “**Starred question**” means a question for an oral answer;

- (q) “**Table**” means the table of a Council;
- (r) “**Un-starred question**” means a question for a written answer.
- (2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001.

## **PART-I CONDUCT OF BUSINESS**

- 3. Disposal of Administrative Business.** (1) The executive authority of the Council shall extend to the doing of all acts permissible under section 39 of the Ordinance for the due discharge of its functions and shall be exercised by the Naib Nazim through the Secretary, under the direction, supervision and control of the Naib Nazim.
- (2) All correspondence with the Committees of the Council, and the Departments and offices of other Local Governments shall be conducted through the Secretary of the Council;
- (3) The Secretariat of the Council shall, deal with all the matters related to administrative functions of the Council, and the proceedings related to meetings, including the questions, motions for legislation of the bylaws of the Council, the motions for amendments and resolutions and other administrative functions of the Council.
- 4. Office Administration.** (1) For the purposes of Office Administration of the Council’s Secretariat, the Naib Zila Nazim or the Secretary, shall not, except in accordance with the provisions of the Ordinance and Financial Rules made there under, or the Financial Rules or instructions issued by the Finance Department of the Government, authorize any order, which directly or indirectly affect the finances of the Council.

(2) In case of any ambiguity regarding any financial matter, the Naib Zila Nazim **may seek** the advice of the senior most officer of the Audit Department, in the district, in the case of local fund, and the Executive District Officer (Finance and Planning) in the case of Provincial Consolidated fund, who may either tender such advice or, if he is unable to do so, refer the case to Secretary Local Government, or, as the case may be, Finance Department of the Government.

(3) The Secretariat shall maintain the record of all such advices for further guidance.

**5. Exercise of Powers and Functions:** (1) All functions and responsibilities of the Council, and all powers, functions and duties of the Naib Nazim, presiding officers of the meetings, the Secretary and other officers and staff members shall be conducted strictly in accordance with law.

(2) In case of any ambiguity regarding applicability or otherwise of the provisions of the Ordinance, or the rules or bylaws framed there under, or any other law for the time being in force, the Council may seek legal advice from the Executive District Officer (Law), if the case is not of routine nature, or is important to the extent that more than one local Governments are involved may refer the case to the Law Department of the Government of Punjab, through proper channel.

(3) Secretariat shall maintain record of all legal opinions and advices.

**6. Authentication of Orders etc.:** Every order etc. shall be:

- a. expressed to be taken in the name of the Zila Council or the Zila Council Secretariat, as the case may be;
- b. sealed with the seal of the Zila Council or the Zila Council Secretariat as the case may be; and
- c. Signed by the Naib Zila Nazim, or any other officer authorized by him in this behalf as the case may be.

## **PART-II MEETINGS OF THE DISTRICT COUNCILS**

- 7. Decisions in Meetings:** Every matter required by any provision of the Ordinance, or any rule or bylaw made there under, to be decided by the Council shall, unless otherwise provided in the Ordinance or the rules made thereunder, be so decided at a meeting of the Council to be held in accordance with these bylaws.
- 8. Types of Meetings.** (1) There shall be four types of meetings of a Council, namely:
- (a) Emergent meeting
  - (b) Ordinary meeting;
  - (c) Special meeting; and
  - (d) Budget meeting.
- (2) All business, except consideration and approval of the budget, of Council shall be considered in an Ordinary or Emergent Meeting as the case may be, and financial issues in the Special Meeting.

## **PART-III SUMMONING, ADJOURNMENT, SUSPENSION OF MEETINGS**

- 9. Notice for Meetings:** (1) An Ordinary meeting shall be held at least once in a month on a day to be fixed by the Convener or the Presiding Officer, as the case may be, as prescribed under the law, rules and these bylaws. Provided that, if a request is received from the Nazim for summoning of a meeting to discuss a particular proposal, the meeting may be summoned by the Convener or the Presiding Officer, as the case may be, as desired;
- (2) A meeting shall also be called by the Convener or the Presiding Officer as the case may be on a requisition signed by not less than one-third of the total membership of the Council.

**(3)** Seven working days notice shall be given to the members of the Council for an Ordinary meeting, three days notice for special meeting and within 24 hours from the receipt of notice for an emergent meeting.

**(4)** The Budget meeting shall be summoned on such date and for such period as may be directed by the Convener or Presiding Officer, as the case may be, in which the budget shall be presented by the Nazim.

**(5)** The Secretary of the Council shall intimate by a notice, to each member the date, time and place of the meeting and shall cause a copy thereof to be pasted at the office of the Council.

**(6)** The notice shall be accompanied by a detailed agenda of the meeting.

**(7)** The agenda for an Ordinary meeting shall be prepared in the following order: -

- (a) Confirmation of the minutes of the previous meeting;
- (b) Questions asked by the members and admitted by the Convener or the Presiding Officer as the case may be which shall form an appendix to the agenda;
- (c) All subjects deferred in the previous meeting;
- (d) Consideration of the matters referred by the District Government;
- (e) Matters placed before the Council by the Convener or the Presiding Officer as the case may be;
- (f) Reports of Committees and sub-Committees;
- (g) Motions of which notices have been given by the members and admitted by the Convener or the Presiding Officer as the case may be;
- (h) Any other business approved by the Convener or the Presiding Officer as the case may be;
- (i) A list of papers to be laid on the table for the information of the members such as: -
  - (i) Copies of Audit Reports and answers;
  - (ii) Any information or material received from District Government or any other institution;
  - (iii) Any other matter considered to be useful for the members.

(8) An item shall not be removed from the agenda without leave of the Convener or the Presiding Officer as the case may be once it is included in it.

(9) After notices for a meeting have been dispatched, the Secretary shall, subject to the order of the Convener or the Presiding Officer as the case may be, make available to the members any record or information relating to the matters on the agenda, which is available in the Council Office:

Provided that no member, without written permission of the Naib Zila Nazim on the written request shall inspect papers relating to a matter, in which he or his close relatives have a direct or indirect pecuniary interest.

(10) No decision of the Council shall be invalid merely on the ground alone that the notice of the meeting at which the decision was taken was not served upon and received by any member personally.

**10. Adjournment of Meeting.** A meeting may be adjourned by the Convener or the Presiding Officer as the case may be on any of the following grounds:

(a) For lack of quorum;

(b) For any other reason which the Convener or the Presiding Officer as the case may be, for reasons to be recorded in writing, may deem to be sufficient.

**11. Suspension of the Meeting:** In case of grave disorder immediately before or during a meeting, the Convener or the Presiding Officer as the case may be may suspend any sitting for a period to be specified by him.

**12. Postponement of Meeting:** (1) A meeting may be postponed by the Convener or the Presiding Officer as the case may be, or on a written request signed by majority of the total membership of the Council.

(2) If the meeting is summoned on the request by the Nazim, the meeting can be postponed with the consent of Nazim;

## **PART-IV CONDUCT OF BUSINESS AT A MEETING**

**13. Place of Meeting:** All meetings shall be held at the meeting hall of the Council or any other place as specified by the Zila Nazim in accordance with the prevalent circumstances or as suggested by the Zila Council for the reasons to be conveyed to the Presiding Officer.

**14. Quorum: (1)** No business shall be transacted unless fifty one per cent of the total memberships of the Council are present throughout the meeting.

**(2)** No meeting shall be adjourned for want of quorum until sixty minutes have passed after the time fixed for the meeting.

**15. Order of Business: (1)** The Business to be transacted at a meeting shall be taken up in the same order as mentioned in sub-clause (7) of clause 11.

**(2)** The Convener or the Presiding Officer as the case may be, may with the consent of the majority of the members present, vary such order or bring before the meeting any matter not included in the agenda.

**(3)** All business specified for any day and not disposed of before the termination of the meeting on such day shall be conducted on the next day or on any other subsequent day, except when the meeting is prorogued, in which case the remaining business shall be brought on agenda for the next meeting.

## **PART-V QUESTIONS**

**16. Subject-Matter of Questions: (1)** A question may be asked by a member from the Nazim as head of the District Government for the purpose of obtaining information on a matter of public importance within the cognizance of the District Government.

(2) A question admitted under these bylaws shall be referred to the District Coordination Officer, who shall, after obtaining necessary reply from the concerned Department or office and getting it approved from Nazim, furnish the same to the Secretary of the Council for further required action.

(3) The answer to the question shall be furnished by the Chairperson of the Committee dealing with the Department or office on behalf of the Zila Nazim and shall include answers of supplementary questions according to these bylaws;

Provided that no question in respect of the District Government shall be asked in a Tehsil Council, or Town Council or a Union Council.

**17. Admissibility of Questions:** (1) The Presiding Officer may disallow any question which: -

- (a) is not self-contained and intelligible;
- (b) related to a matter which is subjudice in a court of law;
- (c) is frivolous vexatious, offensive or injurious to the interest of the Council;
- (d) is outside the ambit of functions of the Council;
- (e) is asked for an expression of an opinion;
- (f) contains arguments, inferences, ironical expressions or defamatory statements;
- (g) requires information contained in documents ordinarily accessible to the public;
- (h) contains references to newspapers whether statements in the Press or by private individuals or bodies are correct;
- (i) asks for an expression of legal opinion or the solution of an abstract or hypothetical proposition;
- (j) refers to the character or conduct of any member or official of the Council, except in his public or official capacity;
- (k) is excessive in length; or
- (l) amounts to suggest for any particular action.

(2) The Presiding Officer may, in his discretion, amend the form of any question.

(3) All questions, and where possible, the supplementary questions and a gist of the replies shall be recorded in the minutes of the meeting.

**18. Notice of Questions. (1)** A member desiring to ask a question shall send it in writing to the office at least fourteen days before the meeting at which it is proposed to be asked; provided that the Presiding Officer may admit a question at a shorter notice.

(2) A member who desires an oral answer to his question may distinguish the question with a star.

(3) Starred questions shall be arranged separately from un-starred question.

(4) Lengthy answers to starred questions may be placed on the table amounts to have been read.

(5) Not more than three starred questions by the same member may be included in the agenda for the same day.

(6) Only the member who has given notice of a question may ask it.

**19. Supplementary Questions. (1)** Any member may put a supplementary question in elucidation of the answer given to a starred question.

(2) No member shall be allowed to ask more than three supplementary questions on any one question.

(3) The Presiding Officer shall disallow a supplementary question if it infringes the provisions of clause-19.

## **PART-VI MOTIONS, RESOLUTIONS AND** **AMENDMENTS**

**20. Motions, Resolutions and Amendments. (1)** A member who desires to bring forward any business at a meeting or to move a resolution shall give a written notice thereof at least ten days before the meeting, provided that the Convener or the Presiding Officer as the case may be, may, in case of emergent nature of a motion or resolution in his discretion, allow it at a shorter notice or without notice.

**(2)** All notices regarding questions, motions, or resolutions shall be dated and numbered as and when received and included in the agenda.

**(3)** Motions and resolutions allowed by the Convener or the Presiding Officer as the case may be, after the dispatch of the agenda shall be circulated among the members, as soon as possible, after their receipts.

**(4)** The Convener or the Presiding Officer as the case may be, may refuse to allow any motion or resolution to be moved if he considers that: -

- (a)** It is not definite or is not clearly and precisely expressed;
- (b)** It contains arguments, inferences, ironical expressions, or defamatory statements;
- (c)** It refers to the conduct or character of any member or officer of the Council, except in his official or public capacity; or
- (d)** It relates to a matter, which does not fall within the ambit of functions of the Council.

**(5)** A member who wishes to move an amendment to a motion or resolution shall give at least one-day's notice in writing, provided that, the Convener or the Presiding Officer as the case may be, may due to its importance in his discretion allow an amendment to be moved at a shorter notice or without notice.

(6) An amendment must be relevant to the motion or resolution and may propose a variation thereof or any addition thereto or omission there from but neither amendment shall be a direct negating of the motion or resolution before the meeting nor shall it be the same in substance as a motion, resolution or amendment already turned down in the same meeting.

(7) The motion, resolution or amendment may be moved only by the member giving the notice.

(8) A motion, resolution or amendment shall, if it is not moved, be deemed to have been withdrawn.

(9) A motion, resolution or an amendment may not be moved in a form different from that in which it appears in the notice, unless the Convener or the Presiding Officer as the case may be, in his discretion, permits it to be moved in an altered form.

(10) At any time before the motion, resolution or amendments has been put to vote, it may be withdrawn by its mover with the leave of the Convener or the Presiding Officer as the case may be of the meeting and consequently, no discussion on a withdrawn motion, resolution or amendment shall be held.

**21. Closure.** At any time after a motion, resolution or amendment has been moved, a member rising from his seat may claim to move that “the question be now put” and, unless it appears to the Convener or the Presiding Officer as the case may be, that such motion is an abuse of procedure or an infringement of the right of reasonable debate, the question shall be put forthwith and decided without amendment or debate; provided that the Convener or the Presiding Officer as the case may be, shall allow the proposal of the original motion or resolution to reply to the debate.

## **PART-VII DEBATE**

**22. Speeches.** (1) Except as otherwise provided in these bylaws, a member may speak on any motion, resolution, amendment or question under consideration of the meeting, or raise a point of order.

(2) A member who desires to speak shall address the Convener or the Presiding Officer as the case may be..

(3) After the member concerned has spoken, other members may speak on the motion, resolution or amendment in such order as the Convener or the Presiding Officer as the case may be, may decide and call upon them.

(4) If more than one member rises to speak at the same time, the member whose name is called by the Convener or the Presiding Officer as the case may be, of the meeting shall be allowed to speak.

(5) At any time, if the Convener or the Presiding Officer as the case may be, rises, any member speaking shall at once resume his seat.

**23. Procedure of Debate.** (1) The substance of every speech shall be strictly relevant to the matter under consideration of the meeting.

(2) A member while speaking shall not: -

(a) use the Nazim's name or the Convener's or the Presiding Officer's as the case may be, name for the purpose of influencing the debate;

(b) cast any reflection upon the Nazim, Naib Nazim or any officer of the District Government;

(c) utter abusive or defamatory words or make use of any offensive expression;

(d) refer to a matter of fact which is sub-judice in a court of law;

(e) make a personal charge against a member; and

(f) use his right of speech for willfully obstructing the business of the meeting.

**(3)** A member may not read his speech but may refresh his memory by reference to notes.

**(4)** References from documents may be read out but their originals shall, if required by the Convener or the Presiding Officer as the case may be, be placed on the table.

**(5)** The Convener or the Presiding Officer as the case may be, may direct a member, while speaking, to discontinue his speech, if such member, after being warned by the Convener or the Presiding Officer as the case may be, persists in irrelevance or in repetition of his own arguments or the arguments used by other members, or contravenes the provisions of sub-clause (2) of clause 25.

**(6)** Except in the exercise of a right of reply or otherwise provided by these bylaws, no member shall speak more than once on any motion, save, with the permission of the Convener or the Presiding Officer as the case may be, for the purpose of making a personal explanation; provided that a member who has moved a motion or resolution may speak again by way of reply.

**(7)** The Convener or the Presiding Officer as the case may be, may whenever he deems fit, address the meeting on matters relating to procedure before putting the question to the vote.

**(8)** A member shall not intervene between the Convener or the Presiding Officer as the case may be, of the meeting and the member speaking, and no member shall read any book, newspaper, letter, any other document, except the document related to the business of the debate, and shall not except as provided in these bylaws, and with the permission of the Convener or the Presiding Officer as the case may be, interrupt any member while he is speaking.

**(9)** When, for the purpose of explanation during discussion on for any other sufficient reason, any member has an occasion to ask a question from another member on any matter under consideration of the meeting, he shall ask the question through the Convener or the Presiding Officer as the case may be, without addressing such member directly.

- 24. Point of Order.** (1) Any member, at any time, may submit a point of order for the decision of the Convener or the Presiding Officer as the case may be, but in doing so he shall confine himself to stating the point.
- (2) The point of order shall call in question only the propriety of some portion of the proceedings before the meeting, and seek the decision of the Convener or the Presiding Officer as the case may be, with regard to its propriety.
- (3) Such member, after raising the point of order, shall resume his seat.
- (4) The Convener or the Presiding Officer as the case may be, shall decide each point of order and his decision thereon shall be final.
- (5) No discussion on any point of order shall be allowed, except for the sake of explanation of the law, rules or bylaw, and with the permission of the Convener or the Presiding Officer as the case may be.,
- (6) After a decision has been given on a point of order, the member, who was speaking before the point of order was raised, shall resume his speech.

**25. Personal Explanations:** Any member may, with the permission of the Convener or the Presiding Officer as the case may be, make a personal explanation although there is no question under consideration of the member:

Provided that, such explanation, if permitted, shall be made at the earliest possible opportunity before the business for the day is entered upon and shall be limited to the circumstances which are the subject of the explanation and no speech or debate thereon shall be allowed by the Convener or the Presiding Officer as the case may be.,

**26. Time limit on Speeches:** The Convener or the Presiding Officer as the case may be, at any time, may fix a time limit for speeches and no speech shall exceed the time fixed; provided that the mover of a motion, resolution or amendment may, when moving the same, at the time of speaking by way of reply, speak for such longer time as the Convener or the Presiding Officer as the case may be, may permit.

## **PART-VIII PROCEDURE IN FINANCIAL MATTERS**

**27. Budget:** (1) Without prejudice to the principle that the provisions of this Part shall be subject to the provisions of the Ordinance and the Rules, including the Financial Rules, made there under, Budget shall be presented in the Council on such date and time as the Nazim may fix.

(2) The Budget shall not be referred to any Committee and no other motion shall be made with reference to it, except as provided in this part.

**28. Demands for Grants:** (1) No demand for grant shall be made except on the recommendation of District Government, Tehsil Municipal Administration/Town Municipal Administration or, as the case may be, Union Administration.

(2) A separate demand shall be made in respect of the grant proposed for each decentralized Department of Government and the Council; provided that the Nazim may cause to include, in one demand, grants proposed for two or more Departments or cause a demand to be made in respect of expenditure which can not readily be classified under a particular Department.

(3) Each demand shall contain a statement of the total grant proposed and statement of the detailed estimate under each grant, which is divided into items.

**29. Presentation of Budget.** The Budget shall be presented by the Nazim himself and on that day, the speech of the Nazim on its presentation shall be the only proceeding with reference on the Budget on that day.

**30. Stages of Discussion on Budget:** The Budget shall be dealt with in the Council in the following stages:

- a. general discussion on the Budget as a whole;
- b. discussion on appropriations in respect of the charged expenditure; and
- c. discussion and voting on demands for grants in respect of expenditure other than charged expenditure, including voting on cut motions, if any.

**31. Allotment of Days:** The Convener or the Presiding Officer as the case may be, shall, in consultation with the Nazim, allot days for the different stages of the Budget:

Provided that at least two days shall elapse, between the day the budget is presented and the first day allotted for the general discussion on the budget

Provided further that not less than two days shall be allowed for the general discussion on the Budget.

**32. General Discussion on the Budget. (1)** On the days allotted for general discussion on the Budget, the Council may discuss the Budget as a whole or with respect to any question of principle involved therein, but neither a motion shall be moved at that stage nor the Budget shall be submitted to the vote of the Council;

Provided that, the Nazim shall have a general right of reply at the end of the discussion.

**(2)** The Convener or the Presiding Officer as the case may be, may, if he deems fit, fix a time limit for speeches by members.

**33. Cut-motions:** A member may move a motion to reduce the amount of a demand, omit, or reduce an item in a demand.

**34. Conditions for Admissibility of Cut-motions:** The following conditions shall be necessarily satisfied for the admissibility of the cut-motions, that is:

- (a)** it shall relate to one demand only;

- (b) it shall not seek to increase the grant or alter the purpose of a grant;
- (c) it shall not relate to expenditure charged upon the Provincial Consolidated Fund or, as the case may be, the Local Fund;
- (d) it shall be clearly expressed and shall not contain arguments inference, ironical expressions, imputations, apathies or abusive or defamatory statements;
- (e) it shall not reflect on the character or conduct of any person, whose conduct can only be challenged on a substantive motion or whose conduct can not be challenged at all in a meeting of the Council;
- (f) it shall not make suggestions for the amendment or repeal of any existing law, rules or, as the case may be, bylaws;
- (g) it shall not refer to a matter, which is not primarily the concern of District Government, Tehsil Municipal Administration, Town Municipal Administration or, as the case may be, the Union Administration;
- (h) it shall not revive discussion on a matter which has once been decided by the Council;
- (i) it shall not relate to any matter, which is pending before any court of law or any other authority performing judicial or quasi-judicial functions, including the Provincial Local Government Commission.

**35. Presiding Officer to Decide the Admissibility:** The Convener or the Presiding Officer as the case may be, shall decide whether a cut motion is or is not admissible under these bylaws and his decision thereon shall be final.

**36. Notice for Cut-motion:** Notice for a cut-motion shall be given two clear days before the day on which the demand is taken up for consideration and no amendment to a cut motion shall be permissible.

**37. Voting on Demands for Grants:**

- (1) Each demand for grant shall be discussed separately.

(2) Before a question is put in respect of a demand for grant, all cut motions in respect of cut demand shall be discussed and voted upon.

(3) When several cut-motions related to the same demand are tabled, it shall be discussed in the same order, in which the heads to which they appear in the Budget.

(4) On the last day allotted for voting on demands, at the time when the meeting is to terminate, the Convener or the Presiding Officer as the case may be, shall forthwith put every question, if not disposed of earlier, necessary to dispose of the outstanding matters in connection with the demands for grants.

### **38. Procedure for dealing with the Supplementary and Excess**

**Demands:** The Procedure for dealing with supplementary estimates of expenditure and excess demands shall, as far as possible, be the same as provided for the budget.

## **PART-IX OTHER MATTERS**

### **39. Preservation of Peace and Order at the Meeting. (1)**

The Convener or the Presiding Officer as the case may be shall preserve peace and order at the meeting and shall have all powers necessary for enforcing his decisions.

(2) The Convener or the Presiding Officer as the case may be, may direct any member, whose conduct, in his opinion, is grossly disorderly, to withdraw immediately, and such member shall do so forthwith, and shall, unless recalled by the Convener or the Presiding Officer as the case may be, absent himself during the remaining period of the meeting on that day.

(3) The Convener or the Presiding Officer as the case may be, may cause any member, who disobeys an order to withdraw, to be summarily removed from the House.

**40. Decision by Vote:** (1) Unless otherwise provided in the rules made under the Ordinance, all questions shall be decided by the vote of majority of the membership present for voting.

(2) Votes shall ordinarily be counted by show of hands, and no member shall be compelled to vote, provided that if at the time of declaration of the result voting by show of hands, a poll is demanded by not less than one-third of the members, the Convener or the Presiding Officer as the case may be, shall take votes again.

(3) The Convener or the Presiding Officer as the case may be, shall ask all those members who may be in favor of the resolution to stand in their seats and shall count them either by himself or by an officer or officers of the Council, and the Convener or the Presiding Officer as the case may be, shall again ask the members, who are against the resolution to stand and shall count them, as before, and the decision shall be taken according to the majority of votes for or against the resolution.

(4) In case of equality of votes, the Convener or the Presiding Officer as the case may be, may exercise a casting vote, if he does not exercise the casting vote, the proposition shall be deemed to have not been carried, but it may be brought in the subsequent meeting.

**41. Language:** The proceedings of the meeting may be conducted in Urdu or in such other local language, or languages as may be decided by the Council.

**42. Minutes Book:** (1) All decisions of the Council shall be drawn up and recorded in a book called the Minutes Book, and a copy of the minutes shall be sent to each of the members within fifteen days of the meetings.

(2) A separate page in the Minutes Book shall be provided for noting the attendance of the members present at the meeting.

(3) A member, who was present at a meeting, may object to the confirmation of the minutes of that meeting by moving an amendment on the ground that any matter is not correctly recorded or expressed therein.

(4) A member voting against a proposition may request that his dissent may be recorded.

(5) The Minutes Book shall be written and maintained by the official duly authorized by the Convener or the Presiding Officer as the case may be, and shall be signed by the Convener or the Presiding Officer as the case may be,.

(6) The minutes of the previous meeting shall be considered in the next meeting for validation or as the case may be for decision. In case of any dispute, decision of the Convener or the Presiding Officer as the case may be, shall be final.

**43. Meeting Open to the Public:** (1) Every meeting for the Council shall, unless otherwise directed by the Convener or the Presiding Officer as the case may be, in respect of any particular item under consideration at a meeting, be open to the public and the Press.

(2) No Press reporter or a member of the public present at the meeting shall either make any noise or in any way express approval or disapproval of the proceedings of the meeting or of any member.

(3) Any such misconduct shall render the reporter or visitor liable to be summarily removed from the meeting hall.

(4) Press reporters and visitors shall not sit in the same hall and on the same seats as are provided for the members of the Council, but separate galleries shall be provided for the officers of the District Government/Tehsil Municipal Administration /Town Municipal Administration Union Administration, visiting dignitaries, Press and public in general.

(5) The entry to the galleries shall be regulated by issuing entry passes under the authority of the Presiding Officer, and the Convener or the Presiding Officer as the case may be, shall nominate an officer or officers of the Council who shall be responsible for issuing passes and shall ensure security measures.

(6) Each member may be allowed one pass for a visitor according to the availability of the space in the gallery and the passes may be issued on first come first served basis.

**44. Leave of Absence to Members:** Leave of absence may be granted to a member by the Convener or the Presiding Officer as the case may be, of the Council for a period not exceeding three months when he remains within the country, and in other cases, for a period not exceeding six months, in any calendar year.

**45. Address by Non-member:** (1) A non-member, whether a Government Officer or from public, shall neither address the Council nor shall take part in the proceedings of the meeting in any manner whatsoever.

(2) An Officer, serving within the jurisdiction of the Council when his services are required for expert opinion, be required to express his opinion before the Committee of Council, and his opinion to the Council will be conveyed by Chairperson of the Committee to the Council in the report of the Committee.

**46. Reference by the Government or the Nazim to Consider Any Matter:** Notwithstanding anything contained in these bylaws, the Government or the Nazim may refer any specific matter to be considered by the Council within a specified time and the Council, thereupon shall consider such matter within the specified period.

**47. Reconsideration of Matter once Disposed of:** The matter finally disposed of by the Council shall not be reconsidered unless a period of three months lapsed, save on a requisition by not less than two-thirds of the total membership of the Council or on the direction by the Government.

## **PART-X CONSTITUTION OF COMMITTEES**

**48. Constitution of Committees:** (1) Besides the Committees required to be constituted under the Ordinance and the rules, a Council shall constitute a Committee for each of the decentralized Departments of the Government at Zila Council level provided in the schedules appended to the Rules of Business, of the District Government, in odd numbers.

(2) Each Committee so constituted may elect a Chairperson of that Committee who shall preside over the meetings of the committee and in his absence the committee may elect any of its member to preside over that session. (3) These bylaws shall, with necessary changes and, as far as possible, be applicable to the meetings of the Committees.

**49. Functions of the Committees:** (1) Each Committee shall deal with the subjects assigned to the relevant decentralized Departments or offices under the relevant schedule of the relevant Rules of Business:

(2) The Committee may, on its own accord or on a reference by a member, review the progress of the work assigned to the relevant decentralized Department or office and may formulate suggestions for presentation in the Council.

(3) The decision of the Committees shall be taken by majority vote of its members, and the note of dissent, shall be recorded in the report in his name, when he so likes.

(4) The executive District Officer In charge of the decentralized Department and the District Head of the Department, under discussion in the Committee, or their duly appointed representatives, in case of committees of the Zila Council shall have to attend each meeting of the Committee, shall have to produce record before the Committee and shall have to assist the Committee in all technical and financial matters under consideration of the Committee; except the expenditure incurred by the Committee.

(5) The reports of the Committee shall be presented in the Council by the Chairperson of the Committee.

(6) All the decentralized Departments or offices on the charge of the committee shall be referred to the District Coordination officer/Tehsil Municipal Officer/ Town Municipal Officer/Union Secretaries, and the reply thereto as received according to the rules and bylaws shall be presented in the Council by the Chairperson of the Committee.

**50. Special Committees:** Council may, for specific purpose, appoint a Special Committee and may refer a resolution or a proposal or a scheme for examination and formulation of suggestion by the Committee and, notwithstanding anything in these bylaws, that particular reference shall be decided by that Special Committee; provided that the Executive District Officer and the District Head of the department concerned, or their duly appointed representatives, in case of Committees of the Zila Council, shall have to be actively associated with the proceedings of the special committee for technical and financial advice wherever required.

**51. Decisions of the Committees:** (1) The decisions of the Committees shall not take effect unless presented in, and approved by, the Council through a resolution passed by the majority of total membership of the Council.

(2) The Council may accept the report of the Committee, amend or alter the same or may refer the same to the committee for reconsideration, and upon such a reference, the Committee shall have to reconsider the matter in the light of the observations of the Council.

**52. Joint Sitting of Committees:** Where proposal for the Council is such that a number of the departments are involved in the same, the Convener or the Presiding Officer as the case may be, shall arrange a joint sitting of all committees concerned, and may appoint a Chairperson for the Joint sitting of the Committees.

**53. Joint Committee of Councils: (1)** A Zila Council may with the consent of Tehsil Council/Town Council or as the case may be, Union Council set up Joint Committee of the Councils for deliberations on matters in which such councils may be jointly interested.

**(2)** The Zila Nazim shall appoint members from the Zila Council and shall also nominate a person out of the members of the Zila Council a Chairperson of the Joint Committee.

**(3)** The Tehsil Nazim/Town Nazim or, as the case may be, Union Nazim shall appoint members for the Joint Committee to represent the Tehsil Municipal Administration/Town Municipal Administration or as the case may be, Union Administration.

**(4)** The Zila Council may delegate the powers to make bylaws to the Joint Committee for its functions; provided that the procedure for conduct of meetings of the Joint Committee shall, as far as possible, be either as in these bylaws or on the pattern of these bylaws.

**(5)** The constitution of each Joint Committee of the Councils shall be authenticated under the orders of the Zila Nazim and shall be notified by the District Coordination Officer.

**(6)** The Zila Nazim shall also nominate the concerned Executive District Officer or his duly authorized representative, as co-opted member of the Joint Committee who shall attend the meetings and shall provide technical assistance and financial advice to the Joint Committees of the Councils.

**(7)** The executive authority of each joint Committee of the Councils shall be exercised by its Chairperson in respect of convening and proroguing the meetings, and all other matters consequential thereof or incidental thereto, as may be specified by the joint resolution of the Council, including the sharing of the expenditure to be incurred on the day-day administration of a Joint Committee according to the bylaws framed by the Joint Committees under section 44, 73 or, as the case may be of the Ordinance.

**54. Bylaws to Apply to Committees As Well:** These bylaws and the relevant bylaws relating to conduct of meetings, shall, with necessary changes, apply to the Committees established under the Ordinance, including Monitoring Committees, Code of Conduct Committee, Insaf Committee, Sports and Culture Committee, Zila Accounts Committee or any other committees as the case may be.

**55. Manner of Conducting Business.** Notwithstanding any thing contained in the fore-going byelaws, the business of Council shall be conducted at duly convened meeting of the Council, its Committees and Sub-Committees in accordance with the bylaws framed by the Council under the Ordinance or the relevant bylaws for conduct of meetings.

**56. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..

**57. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.



**PHYSICAL PLANNING & URBAN  
REGULATION CATEGORY**



**THE DISTRICT GOVERNMENT  
PROPERTY, BYLAWS, 2007**

# THE DISTRICT GOVERNMENT

## PROPERTY, BYLAWS, 2007

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# THE DISTRICT GOVERNMENT

## PROPERTY, BYLAWS, 2007

**WHEREAS**, it is expedient to make bylaws for district government properties to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame District Government Property Bylaws:

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

**1. Short Title, Extent and Commencement:** (1) These bylaws may be called the District Government ..... Property Bylaws 2007.

(2) They shall extend to local areas of the District Government .....

(3) They shall come into force at once.

**2. Definitions:** In these bylaws, unless the expression is otherwise expressed in the Ordinance, the terms used shall mean:

(a) “**Authority**” means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.

(b) **“Government”** means the Local Government and Rural Development Department of the Government of Punjab.

(c) **“District Government”** means the District Government / City District Government .....

(d) **“Property”** means properties whether movable or immovable, vested through transfer, succession or acquired by the government, which also includes properties owned or maintained by the government.

**3. Management and Control of Property:** (1) All properties of the District Government whether:

- (a) vested through succession;
- (b) transferred by the Government, any Authority, organization or an individual; and
- (c) constructed or acquired by the District Government.

shall be managed and controlled by the concerned District Government in the manner hereinafter mentioned:

- (a) The District Government shall take such steps as may be necessary to ensure that the property so vested in the government is managed or maintained in the best interest of the District Government and the public as custodian of the said property.
- (b) The District Government shall be responsible to preserve such property, properties from impairment in status, value and utility.

**4. Responsibilities of the District Government:** (1) The District Government shall be responsible to:

- (a) Take as much care of the property as a man of ordinary prudence may take care of his own property of like nature;
- (b) Administer the property as a trust;

- (c) Take steps to ensure that property meant for the public use is actually been used to the maximum benefit of the public;
  - (d) Prevent it from impairment of the value and utility in cases of the rented property;
  - (e) Prevent the use of property for the purpose otherwise than it is specified;
  - (f) Take necessary steps to repair the properties to save them from natural decay, impairment through misuse or abuse; and
  - (g) To take necessary steps to increase the property in value and quantity.
- (2)** The District Government shall also be responsible to keep the moveable property strictly in accordance with the same standard as is prescribed for maintaining the immovable property of the government and:
- (a) Shall be vigilant to check misuse of property;
  - (b) Preserve the property from improper use causing destruction except in cases of natural decay or reason beyond human control.

**5. Power to Hold, Acquire, Lease of Property:** (1) The District Government shall hold the property so vested, and may acquire, lease out, construct on wasteland for the best interest of District Government and the public.

**(2)** The District Government may, with a view to increase its assets, acquire, purchase, or enter into an agreement with the private owners of property if it deemed necessary for beneficial purpose of the District Government.

**(3)** If land is urgently required, the District Government may take necessary steps by invoking provisions of the Land Acquisition Act, 1894.

**(4)** For the purposes of identifying wasteland, under sub-clause 5(1), a committee comprising of following members shall be constituted to indicate redundant, spare properties or wastelands, immediately after proclamation of this bylaw:

- a) District Nazim,
- b) Executive District Officer (Revenue),

- c) Executive District Officer (Finance & Planning),
- d) District Officer (Planning) and
- e) Deputy District Officer (Revenue).

(5) The encroached or redundant properties may also be sold in the manner prescribed under the Ordinance, Rules or these bylaws, after approval of the Government. The funds generated from the sale of such properties shall be kept in a separate account and be used only for development purposes

#### **6. Prohibitions on Disposal of Immovable, Movable Property: (1)**

No immovable property of the District Government shall be alienated by way of sale or otherwise except through an open auction and in the manner hereinafter prescribed after approval by the Secretary of the Government, as per provision of Punjab Local Government (Property) Rules, 2003.

#### **7. Lease of Immovable Property: (1)**

The District Government may grant a license or lease in respect of any land, open space, building, property vested in it or managed, maintained or controlled by it on such terms and conditions as may be just and in the interest of District Government for generating funds.

(2) The District Government shall ensure that while granting license, lease of any such property maximum rent may be secured keeping in view the nature of property and prevalent market conditions.

(3) No such license or lease shall be granted except as provided under the Ordinance, Rules or these byelaws

#### **8. Competitive Bidding by Public Auction: (1)**

No sale, lease or license of moveable or immovable property shall be made, without going through a competitive bidding process as required under section 124 of The Punjab Local Government Ordinance 2001 and Punjab Local Government

(Property) Rules, 2003. The sale, lease or license for moveable or immoveable property shall be made in following manner:

- (a)** It shall be made through an auction committee, to be setup by the Zila Council, of at least five members and with District Nazim as head of the auction committee,
- (b)** It shall be made after obtaining relevant approvals from competent authorities,
- (c)** An advisement shall be given in two newspapers, widely circulated in the province, one of which should be in English.
- (d)** The advertisement for public auction shall be given at-least seven days before the opening of public auction. The advertisement shall indicate location from where the detailed broacher for such sale can be obtained.
- (e)** Interested candidates or prospective bidders can participate in the auction process on the specified date by depositing a pay order of 2% earnest money, which is adjustable from the final payment.
- (f)** At the date of auction, only those bidders can participate in the public auction process, who had submitted required earnest money through pay order or draft.
- (g)** During auction each property shall be offered for sale, lease or license as the case may be, by announcing a reserve price, which shall not be less than the price assessed by the district price assessment committee;
- (h)** The proceedings of the auction shall be conducted by the committee members.
- (i)** The decision of sale through auction shall be based on highest competitive price offered by the bidders. Decision of committee shall be final in this regard.
- (j)** The bidder approved by the committee shall be issued with a confirmation letter after finalization of contract and after deposit of the remaining amount within 14 days;
- (k)** The auction committee shall ensure that earnest money deposited by unsuccessful bidders is returned forthwith.

**(l)** No possession letter shall be issued by the auction committee before deposit of entire agreed amount by the successful bidder.

**(m)** District Officers dealing with relevant property or officers of land records shall facilitate the transfer of possession to the successful bidder, after receipt of instructions from the auction committee.

**(2)** The agreements for lease, license or sale of moveable or immovable property shall be executed as follows :

- a)** It shall be executed on behalf of Local Government by the Authority,
- b)** The provision of Punjab Local Government (contract) Rules 2003 shall be followed while entering into the agreement.
- c)** The terms and conditions shall be drawn under the instructions of the respective District Nazim of Local Government, and in consultation with the Legal Advisor or district Law Department of the council,
- d)** be signed by the Authority and shall be attested by two witnesses and shall bear the seal of the council,
- e)** be written on a stamped paper of appropriate value and shall, be registered under the law for the time being in force for the registration of documents,
- f)** be recorded in a contract register and property registers to be maintained by the departments and shall be reported to the council,
- g)** be made without coercion, undue influence, fraud or misrepresentation of parties,
- h)** be made with the party who is competent to make the contract,
- i)** be in the best interest of the Administration and is made at the competitive rates prevailing in the market,
- j)** be made with the buyer or lessee who is not the official or member of council directly or indirectly related to any of them,
- k)** include penalty clause in order to safeguard the interest of the council, in case of non-payment or delayed payments or in case of delays in taking or leaving possession, as considered necessary, and

l) in case of lease, shall also indicate termination, cancellation and contravention provision.

**9. Property Development Schemes: (1)** The District Government shall prepare development schemes to make such properties more high valued and revenue oriented which may among other matters contain:

- (a) Proper and beneficial use of the District Government property;
- (b) Proposals for their development;
- (c) Proposals for improvement in the existing properties;
- (d) Proposals for development of wasteland;
- (e) Proposals for construction of shops and other building for commercial use; and
- (f) Other matters particularly relating to any property of the District Government.

**10. Verification and Stock Taking of Property:** The Zila Nazim, shall on the assumption of his office and there after once in every year on a date fixed by him shall undertake physical stock taking of movable and immovable properties of the local government concerned and submit a report to the concerned council in following manner:

**(a)** The Audit staff subordinate to Zila Nazim shall conduct the physical verification of all the assets of local government, by filling in forms requiring following information:

- i. "Description",
- ii. "Condition",
- iii. "Location",
- iv. "In use by", and
- v. "Verified by".

**(b)** Information gathered by each audit staff shall be compiled and crosschecked with the various asset registers maintained under clause 10.

(c) All differences, resulting as reason of cross checking, shall be investigated by the said audit staff,

(d) Following information shall be reported to Zila Nazim for his necessary action

- any recommendations as result of physical verification exercise,
- Summary of differences together with investigated reasons, and
- Detailed asset verification forms prepared under sub-clause 10(a).

**11. Maintenance of Record:** The Council shall maintain separate registers for maintaining record of both its movable and immovable properties.

- (a) Registers for immovable properties:
- (b) Registers for movable / Consumable properties;
- (c) Registers for waste / unserviceable properties;
- (d) Registers for improved properties;
- (e) Registers for alienation / disposal of immovable properties
- (f) Registers for disposal of waste / unserviceable properties
- (g) Other registries for the purposes prescribed from time to time.

**12. Cancellation in Contraventions:** (1) The District Government may on approval by the Council, cancel, revoke the lease or license for unexpired period if in the opinion of the District Government:

- (a) Lessee or licensee is violating any conditions of lease or license;
- (b) Extension of lease or license is not in the interest of the District Government;
- (c) Continuation of lease or license is otherwise not in the interest of public.

(2) The District Government may take possession after giving notice in writing for a reasonable period not exceeding three months.

(3) The District Government for the purposes of taking possession may use moderate coercive measures including police help.

(4) For the purpose of eviction of a lessee, licensee, the Authority may use or cause to be used such force as may be necessary.

**13. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..

**14. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

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**PROFESSIONS, LICENSING &  
MARKET REGULATION CATEGORY**



**THE DISTRICT GOVERNMENT**  
**PREVENTION FROM ADULTERATION OF FOOD,**  
**FOODSTUFFS BYLAWS, 2007**

# THE DISTRICT GOVERNMENT

## PREVENTION FROM ADULTRATION OF FOOD, FOODSTUFF BYLAWS, 2007

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# **THE DISTRICT GOVERNMENT PREVENTION FROM ADULTERATION OF FOOD, FOODSTUFF BYLAWS, 2007**

**WHEREAS**, it is expedient to make bylaws to prevent adulteration of food, food stuff to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

- 1. Short Title, Extent and Commencement:** (1) These bye-laws may be called the District Government .... Preservation from Adulteration of Food, Foodstuffs, Bylaws, 2007  
(2) They extend to the local areas of the District Government.....  
(3) They shall come into force at once.
  
- 2. Definitions:** In these bylaws, unless there is anything repugnant in the subject, or context:-

- (a) **“Authority”** means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.
- (b) **“Bylaws”** means these bylaws made under section 192 of the Ordinance 2001.
- (c) **“Consumer”** means a person who buys edible goods, foodstuff for consideration to be used for human consumption.
- (d) **“District Government”** means the District Government / City District Government.....
- (e) **“Food stuff”** means items of food to be used in preparation of food for human consumption.
- (f) **“Pure food”** means unadulterated food, foodstuff fit for human consumption without danger to his life or health.
- (g) **“Schedule trades “** means:
- Fruit and vegetable;
  - Meat, beef, fish, poultry;
  - Milk, items made from milk;
  - Grains and cereals and their by-products;
  - Bottled water (mineral water), aerated water, ice, juices, and syrups of all kinds;
  - Ice-cream;
  - Cooked food; and
  - Grocery items
- (h) **“Substandard”** means below a specified standard fixed under any law for the time being in force.
- (i) **“Adulteration”** means adding something which may cause harm to human life or health.
- (2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001

**3. Licence: (1)** Subject to any prohibition contained in any other law for the time being in force, no person shall carry a schedule trade or business within local areas of the District Government without a valid licence issued by the authority for the purpose.

**(2)** A person who intends to carry such business shall apply for the licence on the prescribed form, on payment of prescribed fee and the permission so granted shall be subject to all conditions specified in these byelaws or in any other law for the time being in force.

**(3 )** A person applying for the licence shall ensure that the food, food stuff meant for sale to the consumers are free from adulteration and is fit for human consumption up to the standard as prescribed by these bye-laws or any other law for the time being in force.

**(4)** Subject to any penalty prescribed in any other law, licence granted for the purpose may be cancelled, suspended or rescinded on account of any violation of these bye-laws subject to affording of opportunity of being heard, if the Council or the person authorized is of the opinion, that, the trade is not being carried in accordance with the prescribed standard or is of sub-standard or is in violation of these bye-laws.

**4. Prohibition: (1)** A place, room, premises shown, declared for sale, supply of good, preparation of food shall be properly and hygienically maintained and shall be kept for inspection by the Authority or person authorized for the purpose.

(2) No portion shall be used for any other purpose except for which it is licensed. A separate place may be reserved for workers employed for the business purpose subject to keeping the standard of maintenance necessary for the trade or business.

**5. Standard of Maintenance:** (1) The premises for sale of edibles, foodstuff, baked items, or any of the schedule trade items shall be properly preserved from outside and inside attack of hazardous elements, insects, and flies injurious to health and human consumption.

(2) No good shall be sold, exhibit for sale falsely representing that quality is good and fit for human consumption.

(3) No person shall cause any loss or injury to a consumer by selling adulterated, damaged or expired goods falsely representing goods of standard quality.

(4) In particular the standard prescribed in trades hereinafter mentioned shall be maintained in the manner as prescribed and determined.

**6. Sale of Fruits, Vegetable, Grocer etc :** No fruit, vegetable, grocery, food item shall be offered for sale unless the same is fresh clean and suitable for human consumption. No licensed vendor, seller, shall sell or display for sale a cut fruit, vegetable exposed to dirt sunlight or germicide attack.

**7. Sale of Meat, Beef, Poultry Items etc:** (1) No place shall be used for storage, sale of meat, beef, poultry, fish, unless protected from inside outside attack of germicide hazard and shall be properly covered with ironnet, sheet. Such place shall also be provided with plentiful supply of water for washing and cleaning purpose.

(2) No cut meat, beef, poultry item shall be displayed out side the shopping / selling premise, nor shall be exposed for sale that has been blown out or is materially damaged for human consumption.

(3) Covered bin shall be used for dumping of waste and shall be properly cleaned to avoid air pollution, obnoxious smell. Where the item is subject to verification, authentication of its consumable condition, the certificate granted for the purpose must be displayed on some conspicuous place of the premises.

(4) A licence granted for sale of meat, beef, poultry, fish and its byproducts shall be subject to all requirements of purity, preservation and up to standard measures to keep them fit for human consumption.

**8. Milk, Cream, Butter etc:** (1) Sale of the following items and their products shall be subject to following meanings and conditions:-

(a) “**milk**” means undiluted and unadulterated milk of cow , buffalo or goat and includes skimmed milk cream but does not include condensed powdered or dried milk;

(b) “**skimmed milk**” means milk from which the milk fat has wholly or partly been removed either by skimming or in a separator;

(c) “**cream**” means the fatty part of milk, which is taken out of milk by a separator.

(d) “**butter**” means milky fat extracted either from cream by means of churning which separates the butter from the milk, but does not include butter in hermetically sealed tin;

(e) “**Dilution**” means the addition to milk with water; and

(f) “**Adulteration**” means addition in milk of foreign substance to make milk inferior and harmful to human consumption;

(2) No person shall sell or put for sale milk a milk product, which is either diluted,  
adulterated or unfit for human consumption.

(3) The premises used for milking, storage of milk, preparation of milk products, shall be kept in sanitation condition. All milk and its by products shall be kept in duly covered clean vessel and be supplied quickly to its users to avoid deterioration.

(4) All persons employed in dairy farms shall be regularly inoculated and vaccinated and record of such vaccination shall be kept open for inspection. Milk giving animals may be got inspected from the veterinary officer after every three months.

**9. Bakery, Confectionary, Sweetmeat etc:** (1) No place shall be used as bake house unless it has been declared as such and is inspected and approved by the authority or the person authorized.

(2) All foodstuffs and other material used for preparation of bakery items shall be kept in clean and fly proof receptacle in clean utensils and in sanitation condition.

(3) No foodstuff color, chemicals shall be used in preparations of these items found to be unhygienic, injurious to human consumption or of expired dates. Only such quantity of stock shall be prepared which may be consumed within a week time.

(4) The licence or any person in charge of the bake house shall not employ or permits to work a person who is suffering from any communicable disease etc.

**10. Sale and Manufacturing Bottled Water, Aerated Water, Ice,**

**Ice-cream:** (1) Every license granted for manufacture, preparation, bottling of water, aerated water, ice, ice cream, its by products mixed with ice milk, shall be deemed to have been granted subject to the following condition that:

(a) no house, room, place or premises shall be used for the purpose of manufacturing, bottling of water, aerated water or other potable water

unless it is hygienically fit for human consumption and the Authority has approved it fit for the purpose.

(b) no owner or person in charge of the installation shall use or permit to be used there in any water except obtained:

(i) from such water supply laid in direct pipe connection by the Local Government concerned;

(ii) if there is no piped water supply from a source and conveyed to such place in a manner approved by the Council;

(iii) the water used for the purpose shall not in any way is contaminated with bacteria viral elements.

(2) The utensils, vassals shall effectively been cleaned, brushed before taking process of manufacturing.

(3) **Bottled water**, Aerated water, ice cream, its byproducts when packed shall be labeled showing the name of manufacturer, ingredients used, date of manufacturing and approximate expiry date.

(4) No artificial ingredients shall be used unless they are fit for human consumption and certified on the packing:

*“Certified that ingredients used in preparation are hygienically tested and are found fit for human consumption.”*

(5) No substandard material foodstuff shall be used for processing. If it is found unfit for human consumption by the Council or person designated for the purpose, the same shall be liable to be confiscated and destroyed in the manner as it may think necessary.

**11. Preparation and Sale of Cooked Food:** (1) For the purpose of these bylaws, the expression:

(a) **“cooked food”** means all item of food cooked or prepared to be taken as food for human consumption.

(b) **“Food house”** means a shop, hotel, wheel vending, premises for preparation, serving of meal or sale of prepared food.

- (c) “**Food street**” means a public thoroughfare declared by the Authority as food street for sale, preparation, serving of food, food items in a place not covered and is open to sky.
- (d) “**Standard of food stuff**” means good quality edible items used in preparation of food served or to be served for human consumption.
- (e) “**Structural fitness**” means the place for preparation of food, storage of foodstuff or for preserving prepared food shall not be in dangerous, hazardous condition.
- (2) No person shall carry the business providing of cooked food, establish food house, declare Food Street for serving food except by obtaining license from the Authority for the said purpose.
- (3) Every license issued for the purpose shall be subject to keeping standardized hygienic measures, providing good food fit for human consumption.
- (4) The licensee shall keep all vessels, utensils receptacle and other article used in preparation, cooking of food, shall be in a state of cleanliness and shall protect them from dust, inside or outside impurities, flies by using wire gauzy frames, sealed glass door, windows to ensure standard hygienic food preparation.
- (5) No food house shall be allowed to run if it is not structurally fit to ensure public safety, maintaining standard foodstuff quality. The premises shall not be near a drain, cesspool filth-dumping place unsuitable, undesirable for preparation, cooking or serving of food.
- (6) The licensee shall not sell or permit to be sold cooked food items unless they are not properly covered to preserve them from dust or other impurities injurious to public health and safety.
- (7) The employees, workers, helpers directly or indirectly involved with the business shall be medically got examined from the Health Officer of the Authority for the purpose of ascertaining that he is not carrier of any infectious disease.

(8) The licensee shall provide a proper place of sanitation for washing hands, cleaning of vessels receptacles, utensils and other articles used in the premises.

(9) The licensee shall make adequate exits of smoke, fumes or other offensive gases emitted during the process of cooking shall keep cooked food in such manner that it does not decompose, deteriorate, or become poisonous or contaminated from any source what so ever.

(10) The licensee shall keep the premises open for inspection by a person authorized by the Authority without notice or in short notice.

**12. Powers of Inspection:** (1) The District Health Authority or an inspector authorized by the authority may inspect the licensed premises to ascertain that the food, foodstuff, food items are fit for human consumption.

(2) The District Health Authority or an inspector may enter into any premises, where any food, foodstuff, food items are processed, stored or kept for sale, for ensuring standardized sale of food items and may take sample for analysis.

(3) If any food, food stuff, food items appears to be sub-standard, adulterated, expired or otherwise injurious to health or unfit for human consumption, such premises may be sealed and such food, foodstuff, food items seized and removed for its disposal in the manner as deemed appropriate, but with the consent of the Authority.

(4) If any food, food items, foodstuff is perishable in nature and is in the opinion of the inspector unfit for human consumption, he may destroy it without such consent but in the presence of two witnesses from the public.

**13. Establishment of Chemical Laboratories:** (1) The District Government shall establish a well-equipped chemical laboratory with qualified staff to take prompt analytical action in cases of adulteration,

impurities in food, foodstuff and to ascertain its human consumption or otherwise.

(2) A sample taken, in pursuance of clause 12, by the Authority shall be sealed, packed in presence of two witnesses and be sent for chemical analysis forthwith after such sealing.

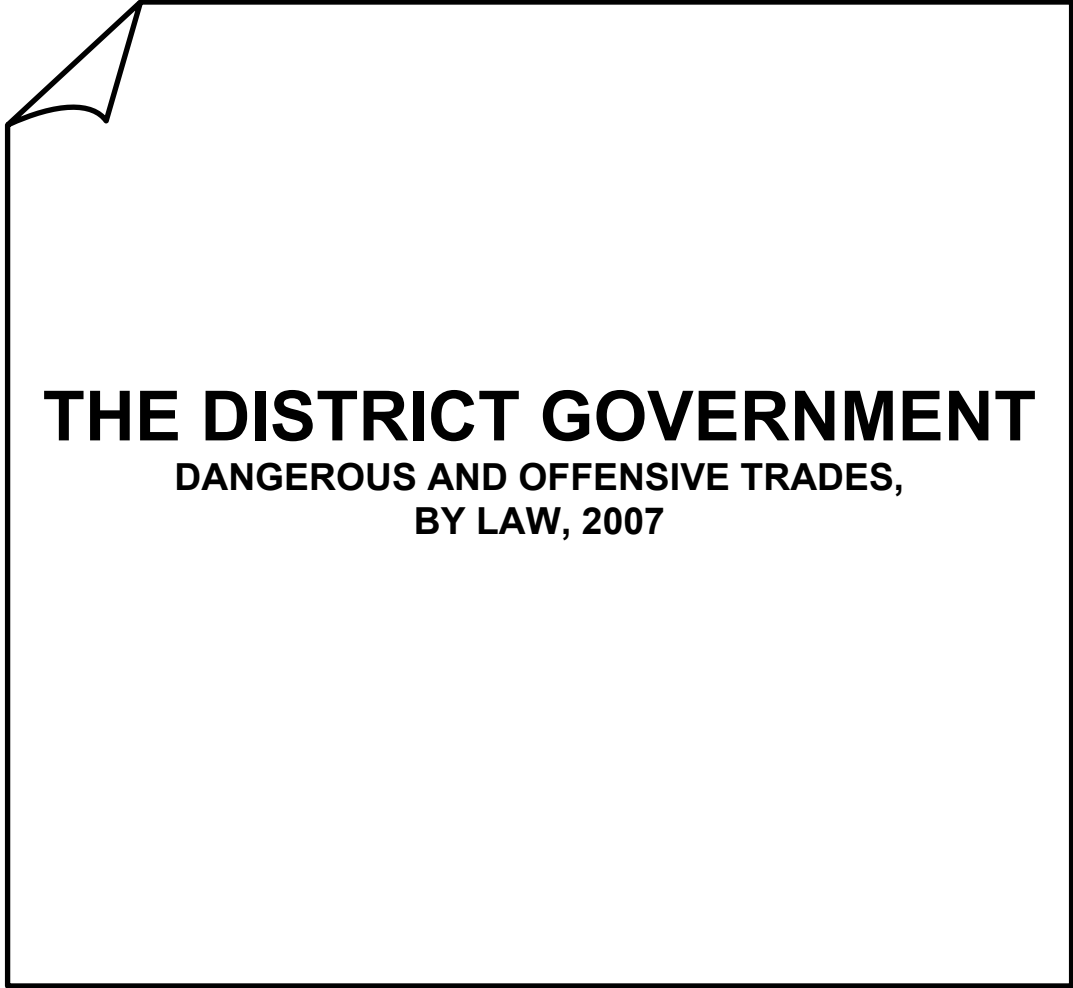
(3) The analyst shall send his report within a period not exceeding seven days from receipt of sample.

(4) If a sample is not sent and report is not submitted within specified time without sufficient reasons in writing, the person concerned shall be held responsible for neglecting his duties and shall be subject to departmental action.

**14. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..

**15. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

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**THE DISTRICT GOVERNMENT**  
**DANGEROUS AND OFFENSIVE TRADES,**  
**BY LAW, 2007**

# THE DISTRICT GOVERNMENT

## DANGEROUS AND OFFENSIVE TRADES

### BYLAWS, 2007

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# **THE DISTRICT GOVERNMENT**

## **DANGEROUS AND OFFENSIVE TRADES**

### **BYLAWS, 2007**

**WHEREAS**, it is expedient to make bylaws on dangerous articles and offensive trades to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws,

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

- 1. Short Title, Extent, Commencement:** (1) These laws may be called the District Government..... Dangerous and Offensive Trades Bylaws, 2007.  
(2) They shall extend to the local area of the District Government.  
(3) They shall come into force at once.
  
- 2. Definitions:** (1) In these byelaws, unless there is any thing repugnant in the subject or context:

(a) “**Authority**” means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.

(b) “**Bylaws**” means these bylaws made under section 192 of the ordinance 2001.

(c) “**District Government**” means the District Government / City District Government.....

(d) “**Government**” means the Government of Punjab.

(e) “**Licence**” means the licence required for carrying on any dangerous and offensive trade or occupation.

(f) “**Public Place**” means a building, premise, place, to which public has an access.

(g) “**Nuisance**” means an act of obstruction or annoyance caused to other person, either by physical or mechanical means, which may include an act of omission or commission causing or likely to cause injury, danger, annoyance to the sense of sight, smell or hearing, which is or may be dangerous to life, injurious to health or property.

(h) “**Dangerous Articles and Offensive trades**” means a trade or business specified in the Sixth Schedule, para 44 read with annexure to the Sixth Schedule, which may cause danger to life, hazard to physical or mental health of the residents of the locality.

(i) “**Pollution**” means soiling of atmosphere in any manner or contravening the safe guards prescribed in any law for the time being in force.

(j) “**Schedule**” means Annexure to the Sixth Schedule read with para 44 of the Sixth Schedule to the PLGO-2001, for the purposes of these bylaws.

(2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001..

**3. Prohibition: (1)** No dangerous or offensive trade mentioned in the schedule shall be carried-on, undertaken within the limits of District

Government except under a license granted by the concerned Authority or a person specially authorized in this behalf;

**(2)** No premises shall be used or offered to be used for any dangerous and offensive trade.

**(3)** No person shall store or keep in any premises:

- (i) Any dangerous or offensive article except under licence;.
- (ii) Any dangerous and offensive article in excess of such limits as may be prescribed by the Authority or any person authorized in this behalf; and
- (iii) No business or trade of such nature shall be established without applying proper safeguards for abatement of nuisance, pollution and effective control of hazardous waste, prescribed by these bylaws or any other law for the time being in force.

**(4)** Notwithstanding anything contained in these bylaws regarding grant of a license, the authority may, for the reasons to be recorded and after issuing notice to the person affected, pass an order for prohibition of trade or business, closure of premises, and removal of such article from the existing place if such action is deemed expedient in the interest of public safety.

**4. Licensing for Trade:** **(1)** No person shall, within the local area of the District Government, carry on any of the trade mentioned in the Schedule except under a license issued by the Authority.

**(2)** Every application for a licence under these bylaws shall be made in the form prescribed for the purpose and in the manner prescribed as under:

- i) The application for grant of license shall be accompanied by NOC from District Officer (Environment) or any other officer authorized by the District Government in this regard and shall also enclose any other documents as may prescribed by the District Government from time to time in this regard; and
- ii) The application for issuance or for renewal of license shall be subject to the condition that the licensee, during the period of licence, shall meet all

the requirements laid down by the Authority, or under any other law for the time being in force.

(3) The licence may be granted after inspection of the premises by the Authority and shall be subject to conditions prescribed by these bylaws.

(4) The Authority may refuse a licence, if in the opinion of Authority, any of the conditions is violated or not complied with as required under these bylaws.

(5) The Authority may issue licence to the applicant for premise or premises located at designated sites and zones as prescribed by the Authority for this purpose.

(6) A licence issued shall contain specific directions on reverse of the licence as under:

- i) applicability and conformance to any other laws, rules or bylaws;
- ii) applicability of working hours within designated premises;
- iii) applicability of safety precautions, protections requirements for the health of workers, environment, and public at large; and
- iv) applicability of any specific guidelines or regulations for any trade, issued or adopted by the Authority for the purpose regulating any specific trade or industry.

(7) Every license issued under these bylaws shall be entered in a register to be maintained by the Authority and shall be displayed by the licensee at a conspicuous place in the premise so licensed, subject to the payment of prescribed fee as per notified schedule of taxes and fees.

**5. Validity and Renewal of Licence:** (1) The licence granted under these bylaws shall be valid until end of financial year in which it is issued.

(2) The licensee may apply for the renewal of the licence within a period of one month prior to the expiry of the licence subject to the payment of renewal fee, as per notified schedule of taxes and fees.

**6. Cancellation, Revocation, Suspension of Licence:** (1) A licence issued under these bylaws may be suspended, revoked, cancelled at any time if in the opinion of the Authority the licensee has contravened any of the

conditions, failed to apply safety measures or carrying of such trade or business in the premises which is not in the interest of public and is a danger to life, health or is in contravention of bylaws.

**7. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..

**8. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

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**ENVIORNMENTAL PROTECTION  
REGULATION CATEGORY**



**THE DISTRICT GOVERNMENT**  
**PREVENTION AND CONTROL OF AIR, WATER, SOIL**  
**POLLUTION, BYLAW 2007**

**THE DISTRICT GOVERNMENT**  
**PREVENTION AND CONTROL OF AIR, WATER, SOIL**  
**POLLUTION, BYLAW 2007**

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# **THE DISTRICT GOVERNMENT**

## **PREVENTION AND CONTROL OF AIR, WATER, SOIL POLLUTION, BYLAW 2007**

**WHEREAS**, it is expedient to make bylaws to prevent and control air, water and soil pollution to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame Conduct Of Business And Meetings;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

1. **Short Title, Extent, Commencement:** (1) These bylaws may be called the District Government..... Prevention and Control of air, water, soil pollution bylaws, 2006
- (2) They shall extend to the local area of the District Government.....
- (3) They shall come into force at once

**2. Definitions: (1)** In these bylaws unless there is anything repugnant in the subject or context:

(a) **“Abatement of Pollution”** means using or applying measures either natural or artificial to control, lessen, reduce pollution to save the environment for living beings.

(b) **“Authority”** means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.

(c) **“Bylaws”** means these bylaws.

(d) **“District Government”** means the District Government / City District Government .....

(e) **“Hospital Waste”** includes waste medical supplies and materials of all kinds, and waste blood, tissues, organs and other parts of the human, animal body from hospitals, clinics and laboratories etc.

(f) **“Public Place”** means any building, premises, land, place to which public has an access.

(g) **“Municipal Services”** means any service required to be rendered by the District Government in discharge of its function under the Ordinance.

(h) **“Nuisance”** means an act of obstruction, annoyance, omission or commission, which may cause or is likely to cause injury, danger, annoyance to the sense of sight, smell or hearing, willfully making the atmosphere obnoxious, which is or may be dangerous to life or injurious to health, life of human or animal.

(i) **“Noise”** means the intensity, duration, character of sound from sources, which is not normal and includes vibration howsoever caused.

(j) **“Offensive Trade Business”** means a trade, business mentioned in paragraph 44 of the Local Government Ordinance 2001, including an undertaking which may create a hazard, danger to mental or physical health, property, or may pollute the environment if abatement measures are not adopted to prevent the pollution.

(k) **“Pollution”** means the contamination of air, land or water by discharge of emission of effluents or wastes likely to make air, land or water unclean, noxious, impure, injurious to health, safety, welfare or property of persons or harmful to biodiversity, including electro-magnetic radiations.

(l) **“Schedule”** means Annexure to the Sixth Schedule read with para 44 of the Sixth Schedule to the PLGO-2001, for the purposes of these bylaws

(m) **“Waste”** means any substance or object which has been or is being intended to be discharged, or to be disposed of, and shall include liquid, solid, gases, noise or hospital waste etc.

(2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001.

**3. Prohibitions:** (1) Subject to any other restriction imposed or safeguards provided in any other law for the time being in force, no person shall carry out any business, trade, undertaking which may cause pollution or which may endanger human or animal life, property, or is hazardous to the nearby residents, without applying safety measures and abatement of pollution checks.

(2) No person shall spread any material of pollution, cause an act of pollution, including polluting air, water, soil or producing noise pollution.

(3) No person shall construct a septic tank or soakage pit with katcha base and shall not go down to the sub-soil water.

(4) No person shall operate public or private vehicles within local area of the District Government producing excessive noise, emitting smoke, soot and exhaust gases, without applying effective abatement measures.

(5) No person either on his own accord or on behalf of any other person shall install cellular phone tower on any public, private property or on a place not suitable for the purpose if there is apprehension that the proposed

installation may cause pollution of any kind or may cause danger to human or animal life or health.

**(6)** Business, trades specified in the Schedule may cause pollution, if safety measures, abatement of pollution checks are not applied.

**(7)** Any emissions, effluents and solid wastes from any undertaking, shall be handled, and shall not exceed the limits defined, under National Environment Quality Standards and any other laws, rules and regulation for the time being in force.

**4. Other Acts Deemed to be Causing Pollution:** Notwithstanding any other mode of producing or spreading pollution in any law for the time being in force, the following acts shall also be deemed to be the act or acts of causing pollution under these bylaws:-

- (a) Making the atmosphere obnoxious by any means;
- (b) Fouling of public water;
- (c) Disposal of untreated industrial, commercial waste;
- (d) Insecure disposal of hospital waste;
- (e) Bathing, washing clothes near springs, water resource wells;
- (f) Linking domestic toilets drains with public street drain;
- (g) Improper use of public drainage and sewerage system;
- (h) Unnecessary blowing of horns, use of amplifier etc;
- (i) Discharging human waste at public places;
- (j) Carrying meat without proper cover;
- (k) Engaging in the removal of night-soil or other offensive matter or rubbish, willfully or negligently permits any portion thereof to spill or fall, or neglects to sweep away or otherwise effectually to remove any portion thereof which may spill or fall in such street or place;
- (l) Using or causing to be used a sound producing apparatus, loud speaker or a sound amplifier in a public place in a manner so as to cause annoyance or injury to persons residing in that locality;

(m) Making any alteration, in or otherwise interfering with a pavement, gutter, storm water drain or materially damaging any such street, water pipe maintained by the Authority in any street of public use, without proper authority;

(n) Carrying night soil or other offensive matter or rubbish at any hour prohibited by the Authority or failing to close such cart or receptacle when in use;

(o) Carrying night soil or other offensive matter or rubbish along any route in contravention of any prohibition made in this behalf by the Authority by public notice;

(p) Depositing or causing or permitting to be deposited filth, rubbish at any place not provided for the purpose by the District Government;

(q) Negligence or failure of the owner or occupier of a place to remove or dispose of the animal carcass within three hours in case of day time occurrence and within three hours after the sunrise in case of night time occurrence;

(r) Storing, or using night-soil manure, rubbish or any other substance emitting an offensive smell save as otherwise prescribed by the Authority.

(s) Using or permitting to be used as latrine a place not specified for such purpose.

**5. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance .

**(2)** Where any willful contravention has been committed by the District Government itself, the responsible functionary shall be liable to be proceeded against.

**6. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

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**THE DISTRICT GOVERNMENT**  
**CONTROL OF DRAIN AND FLOW OF DRAIN**  
**WATER BYLAW 2007**

**THE DISTRICT GOVERNMENT  
CONTROL OF DRAIN AND FLOW OF DRAIN WATER  
BYLAWS, 2007**

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# **THE DISTRICT GOVERNMENT**

## **CONTROL OF DRAIN AND FLOW OF DRAIN WATER**

### **BYLAWS, 2007**

**WHEREAS**, it is expedient to make bylaws to control drain and flow of drainwater to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

- 1. Short Title, Extent, and Commencement:** (1) These bylaws may be called The District Government Control of Drain and Flow of Drainwater, Bylaws 2007.  
(2) They shall extent to the local area of the City District Government.....  
(3) They shall come into force at once
  
- 2. Definition:** (1) In these byelaws unless there is any thing repugnant in the subject or context:

(a) “**Authority**” means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.

(b) “**Bylaws**” means these bylaws.

(c) “**District Government**” means the City District Government.....

(d) “**Government**” means the Government of Punjab

(e) “**Drain**” includes a sewer, a house drain or drain of any other description used for carrying sullage or rainwater.

(f) “**Ordinance**” means Punjab Local Government Ordinance-2001.

(g) “**Street**” means any thoroughfare maintained, managed or controlled by the District Government.

(2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001.

**3. Responsibilities of District Government:** The District Government shall be responsible to provide municipal services specially in connection with:

(a) Sanitation, removal and disposal of waste, sewerage refuse or storm water through proper drainage system;

(b) Maintain and regulate system of public drains in the local area and ensure that all such drains should be properly constructed and maintained and be kept cleared in view of public convenience and health;

(c) All public and private drains shall be subject to control regulation and inspection by the District Government; and

(d) No drain shall be left open unless properly cleaned.

**4. Prohibitions:** (1) Subject to any other restriction imposed or safeguard provided in any other law for the time being in force, no person, within the

local area of the District Government shall throw or caused to be thrown any waste of his business concern in public drain without using measures to prevent pollution, or allow drain flow of his house, business or any premises, residential or commercial, upon any street or public place or into an irrigation channel or any sewer or drain not set for the purpose.

**(2)** No person, without permission from the District Government, shall link drain of his house with drain of a street causing pollution or obnoxious smell.

Provided that any owner, occupier of a building, land may subject to any terms and conditions, be allowed to cause his drains to be emptied into public drains.

**5. Exception: (1)** Notwithstanding any thing contained, prohibitions imposed in these byelaws, the District Government may, by notice in writing require the owner of the building, land or industrial concern:

(a) to construct such drains within the building or land or the street adjoining such buildings land for treatment or disposal of affluent in the manner specified by the District Government;

(b) to take such other steps for the effective drainage of buildings or premises; and

(c) to direct the owner, occupier of the building, premises, land, to prepare scheme for adequate and safe drainage and disposal of their waste subject to approval by the District Government.

**6. Cognizance: (1)** On receipt of any complaint, information or report, that any contravention of these byelaws is committed by a person, owner or occupier, the District Government shall cause a notice to be served on him for taking such action as proposed by the Authority.

**(2)** Failure to take any action in compliance with the notice under clause (1), shall be deemed as willful contravention of these byelaws.

(3) In case of willful contravention of these bylaws, the Authority may itself cause such requirements to be carried out and the cost so incurred shall be recovered from the owner or occupier of such building or land.

7. **Offences and Punishment.**-whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..
  8. **Appeals.**- Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002
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**THE DISTRICT GOVERNMENT**  
**DYEING AND TANNING BYLAWS, 2007**

# THE DISTRICT GOVERNMENT

## DYEING AND TANNING BYLAWS, 2007

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# THE DISTRICT GOVERNMENT

## DYEING AND TANNING BYLAWS, 2007

**WHEREAS**, it is expedient to make dyeing and tanning bylaws to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

1. **Short Title, Extent, and Commencement:** (1) These bylaws may be called the District Government Tanning and Dyeing, Bylaws, 2006.  
(2) They shall extend to the local area of the District Government.  
(3) They shall come into force at once.
  
2. **Definitions:** In these bye-laws unless there is anything repugnant in the subject or context:
  - (a) “**Authority**” means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.
  - (b) “**Abatement of Nuisance**” means using or applying measures either natural or artificial to control, lessen or reduce nuisance.

- (c) **“Bylaws”** means these bylaws.
- (d) **“District Government”** means District Government / City District Government .....
- (e) **“Dyeing”** means process of cleaning, dyeing, preparing or manufacturing chemical for dyeing and any process whatsoever for coloring of cloth or yarn which also includes printing of cloth through manual or mechanical means.
- (f) **“Government”** means the Government of Punjab.
- (g) **“Industrial Waste”** means any left-over material either liquid or solid, which is no more usable in process of dyeing or tanning.
- (h) **“Nuisance”** means an act of annoyance to any other person by either physical or mechanical means, including an act of omission or commission, which may cause or is likely to cause injury, danger to life or health.
- (i) **“Pollution”** means the contamination of air, land or water by discharge or emission of effluents or wastes likely to make air, land or water unclean, noxious, impure or injurious to health, safety, welfare or property of persons or harmful to biodiversity.
- (j) **“Tanning”** means processing of drying animal skins for making leather through mechanical, manual or sun drying means and includes storage of raw skins.

**(2)** All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001

**3. Licence: (1)** No person shall within the local area of the District Government carry on, install, establish a business concern directly or indirectly relating to dyeing or tanning process, without having obtained licence for the purpose from the District Government.

**(2)** The Authority before granting a licence shall satisfy itself about the suitability of the proposed place by physical inspection of the proposed place

**(3)** The person for applying the said licence shall:

- (a) provide map of the business concern;

(b) produce certificate from Environment Protection Authorities that the proposed process shall not cause any danger to life, cause nuisance or pollution;

(c) measures adopted to control nuisance, disposal of industrial waste and storage of material generally used in processing;

(d) safety measures to protect health of workers;

(e) measures for proper disposal and treatment of industrial waste to avoid hazard to humans, animals, wild life, botanical wealth, land and other landed property.

(f) security of landed property of the locality.

**(4)** The District Government may refuse to grant licence if in its opinion the proposed industrial unit is:

(a) Within or near thickly populated areas;

(b) If the proposed unit is located at a place which is not at a reasonable distance from residential areas and may cause nuisance, danger to air, soil or water;

(c) If effective measures for abatement of pollution has not been provided;  
or

(d) If there are no effluent disposal arrangements.

**4. Prohibitions:** (1) A licence granted under these bylaws for the purpose shall also be subject to following prohibitions and conditions as laid down in any other law for the time being in force:

(a) industrial waste shall not flow in open land nor shall be exposed to public sight;

(b) effective measures shall be taken to follow standard of environment protection (National Environment Quality Standards).

(c) Waste material shall be disposed of in the manner prescribed by any law for the time being in force, or any proposed scheme, and shall be properly treated to avoid any sort of hazard to life or property;

- (d) effective measures for abatement of nuisance shall be applied to check and control obnoxious smells, discharge of gasses, emission of fumes and spread of dangerous effluent of chemical in open;
- (e) proper covered drainage, sewerage system shall be applied to prevent hazard of any sort;
- (f) Raw skins shall be stored in properly covered place and dyeing, tanning and preparation shall be under taken in such a manner not to discharge foul smell soiling the atmosphere; and
- (g) The owner or person in charge of the concern shall be bound to follow any scheme prepared by District Government or any other department of environment protection at any time after issuance of licence by the District Government for preservation of atmosphere and safety of inhabitants of areas.

#### **5. Withdrawal, Suspension, Cancellation of Licence:**

Notwithstanding anything contained in these bylaws, the District Government may for the reasons to be recorded and after giving notice and opportunity of being heard, suspend, cancel, withdraw licence, permission, if:

- (a) in the opinion of District Government the business is being carried on in violation of these bylaws;
- (b) withdrawal, cancellation of licence is in the best interest of public; or
- (c) the concern fails to comply any scheme proposed for protection of environment by any law for the time being in force; or
- (d) the Authority may on any other ground if deemed necessary or appropriate, may at anytime withdraw licence issued under these bylaws.
- (e) the Authority may withdraw, suspend or cancel the licence if the owner or person in charge fails to comply with any direction issued by it from time to time.

**6. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance..

**7. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

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**SOCIAL SERVICES & COMMUNITY  
WELFARE CATEGORY**



**THE DISTRICT GOVERNMENT**  
REGISTRATION, MANAGEMENT AND CONTROL OF  
WELFARE HOUSES, BYLAWS, 2007

**THE DISTRICT GOVERNMENT**  
**REGISTRATION, MANAGEMENT AND CONTROL OF WELFARE**  
**HOUSES, BYLAWS, 2007**

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# **THE DISTRICT GOVERNMENT**

## **REGISTRATION, MANAGEMENT AND CONTROL OF WELFARE HOUSES, BYLAWS, 2007**

**WHEREAS**, it is expedient to make bylaws for registration, management and control of welfare houses to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

- 1. Short Title, Extent and Commencement:** (1) These bylaws may be called the District Government Registration Management and Control of Welfare Houses Bylaws, 2006  
(2) They shall extend to the local area of District Government.....  
(3) They shall come into force at once.
  
- 2. Definitions:** Unless there is anything repugnant in the context the following shall carry meanings as under

(a)“**Authority**” means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.

(b)“**District Government**” means the District Government / City District Government.....

(c)“**Home**” means and includes orphanage home, widow home, senior citizen home or home for mentally ill and persons in distress.

(d)“**Institution**” means a body established to look after and maintain social status of resource-less persons including orphans, widows senior citizens children and mentally ill or Persons of feeble understanding.

(e)“**Registered**” means registered with the District Government for the purpose of carrying social welfare activities for needy or handicapped persons.

(f) “**Senior Citizen**” means a person who has attained the age of sixty years.

(2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001

**3. Establishment of Social Welfare Institutions:** (1) District Government may establish one or more welfare homes within its territorial jurisdiction for providing shelter to the needy, resource-less persons and for taking care of their person and interests, if there is no other person to look after and take care of them.

(2) The District Government may subject to any condition or limitation, allow any person, group of persons, societies registered under the law for the time being in force, to establish an institution for carrying out social welfare activities relating to destitute, resource-less and handicapped persons, residing within the local area of the District Government.

(3) The District Government shall encourage to establish cottage industries, educational centers and other institutions for public welfare.

(4) No person shall establish an institution unless it is registered with the District Government within whose jurisdiction it is situated and in the prescribed manner.

**4. Procedure for Registration:** (1) A person or a society intending to establish such an institution, shall provide to the District Government following information on a prescribed form:

- (a) detail of building or place where the activities have to start;
- (b) capacity for accommodation and other required facilities and their full description;
- (c) nature of services intending to provide;
- (d) main sources of income;
- (e) whether the institution is to be run by an individual or through a society;
- (f) in case it is run by a society its management committee their status and role in the affairs of the institution;
- (g) whether the institution is commercial or based on non profitable unit or semi profitable ;
- (h) a registration certificate if the institution is already registered under any law for the time being in force.

(2) If the institution is already in existence before coming into force of these bylaws, the institution shall also get itself registered under these bylaws.

**5. Maintenance of Homes:** (1) An institution established by the District Government shall maintain it within its sources and budget grants.

(2) The District Government may seek assistance and help from the CCB for effective working and providing better facilities.

(3) The District Government shall be responsible to provide basic needs to these residents beside other requirements of social welfare for their moral uplift.

(4) An institution established by a person other than the District Government shall also be responsible to provide standard facilities required for human life and for better living including medical treatment in cases of persons who are badly sick, mentally ill or of feeble understanding.

(5) The institutions shall arrange their activities to make the residents useful organs of society and efforts should be made to settle them as self-supporting citizens instead of being permanently dependant on the institution.

(6) The institution established by the District Government, individual persons, shall encourage establishing cottage industries, educational centers to encourage its residents to participate in productive activities for their social and economic development.

**6. Control and Regulation of the Institutions:** (1) The institution shall be subject to control and regulation by the District Government. The Authority may after giving notice, inspect the building, place of the institution for satisfaction of the standard facilities and services being provided.

(2) If on complaint, or inspection, it is found that proper facilities are not being provided and interest of the residents is not effectively been guarded by the institution, the District Government may take appropriate measures to remedy the situation.

(3) If the institution fails to comply with a direction of the competent Authority, the Authority may take appropriate action as deemed necessary including withdrawal or cancellation of the registration of the institution.

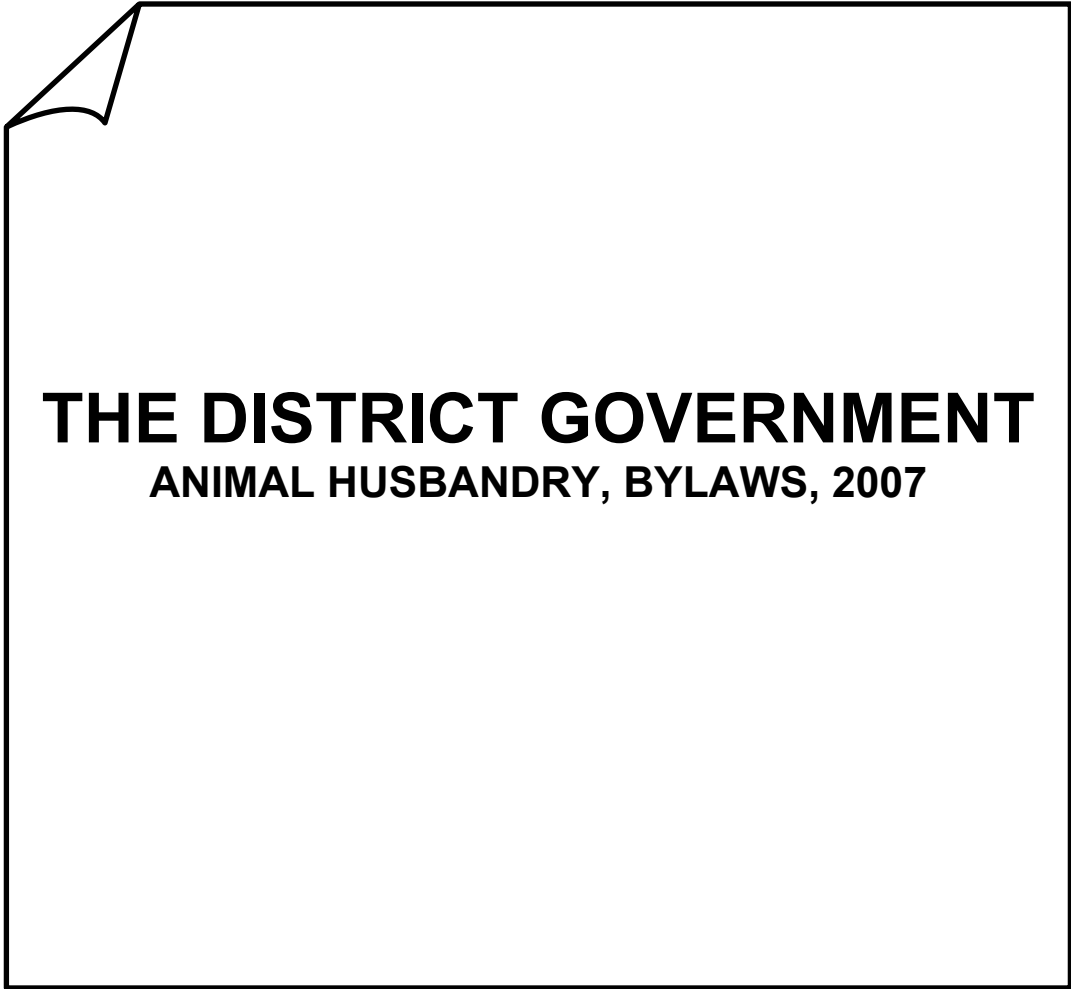
(4) The Authority shall be empowered to enter the premises of institution, meet the residents and may require the record to be produced, to satisfy itself of general conditions and standard of services being provided.

**7. Contraventions:** Any contravention of these bylaws shall be subject to payment of penalty, which may extend to Rs. [insert amount] or cancellation of permission or both.

**8. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance.

**9. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002

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**THE DISTRICT GOVERNMENT**  
**ANIMAL HUSBANDRY, BYLAWS, 2007**

# THE DISTRICT GOVERNMENT

## ANIMAL HUSBANDRY, BYLAWS, 2007

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# THE DISTRICT GOVERNMENT

## ANIMAL HUSBANDRY, BYLAWS, 2007

**WHEREAS**, it is expedient to make animal husbandry bylaws to enable district government in performing functions delegated under provisions of Local Government Ordinance 2001 or any rule or bylaw made there under.

**AND WHEREAS** the circumstances exist that render it necessary to take immediate steps to frame aforementioned bylaws;

**AND WHEREAS** under Section 192 read with Part II of fourth schedule of the Punjab Local Government Ordinance, 2001, the Zila Council may, in its ambit of responsibilities, make Bylaws to carry out the purposes of the Ordinance *ibid*;

**NOW, THEREFORE**, in exercise of the aforesaid powers and all other powers enabling it in this behalf, the Zila Council \_\_\_\_\_ through resolution No. \_\_\_\_\_ Dated \_\_\_\_\_ has approved the following bylaws which are hereby promulgated:-

- 1. Short Title and Commencement:** (1) These bylaws may be called “The District Government Animal Husbandry Bylaws 2007”  
(2) They shall extend to the local area of the District Government.  
(3) They shall come into force at once.
- 2. Definitions:** (1) In these bylaws, unless the context otherwise require, the following expression shall have the meanings hereby respectively assigned to them:-

- a) **“Authority”** means the concerned District Government or a person or persons designated to exercise the powers of District Government under these bylaws.
- b) **“Animal”** means large and small animals.
- c) **“Contiguous Disease”** means any disease, which is declared as such by the competent authority by notification in the official gazette or through any other mode.
- d) **“District Government”** means the District Government / City District Government .....
- e) **“Government”** means Government of Punjab.
- f) **“Large Animals”** means buffalos, cattle, camels, horses, mules and donkeys.
- g) **“Nuisance”** includes act of omission or commission, which causes or is likely to cause injury, danger, annoyance or offence to sense of sight, smell or hearing, or which is, or may be dangerous to human or animal life or injurious to human health or property.
- h) **“Owner”** means a person having charge of such animal, bird brought for veterinary treatment aid or for disease diagnosis in the Veterinary hospital / dispensary, artificial insemination centre / sub-centre / office of poultry production or poultry laboratory.
- i) **“Small Animals”** means goats, sheep, dogs, cat, monkey, deer and young ones of buffaloes, cattle, camels, horses, mules, donkeys, asses of either sex, which also include Poultry birds.
- j) **“Veterinary Institution”** means any Government premises, which is established or maintained within the limits of District Government to facilitate public for bringing their large and small animals and poultry birds for checkup treatment, artificial insemination, vaccination and veterinary coverage.
- k) **“Veterinary Officer”** means an officer of Livestock and Dairy Development Department, who possesses the basic qualification of

“D.V.M”; in Veterinary Science, meant for the treatment of sick animals, poultry birds and provisions of Veterinary Services.

1) **“Zoonotic”** means diseases of large and small animals, poultry which is communicable to human beings or vice versa.

(2) All other words and expressions used herein but not defined shall have the same meaning as are assigned to them under the Punjab Local Government Ordinance, 2001.

**3. Establishment of Veterinary Institutions:** (1) The District Government shall establish a veterinary institution for treatment, artificial insemination, prevention of diseases, and taking care of animals unable to work and for prevention of cruelty to such animals.

(2) District Government shall ensure that such institution is well equipped to provide any such service necessary for treatment, care and prevention of diseases.

**4. Animal Health:** (1) No person other than a veterinary practitioner registered with the Pakistan Veterinary Medical Council shall be allowed to run private veterinary practice in the local area of the District Government.

(2) No veterinary medicine shall be sold without the prescription of a registered veterinary practitioner in the District.

(3) No person shall sell, store, exhibit for sale, veterinary medicines without obtaining a license from the Authority.

**5. Prevention of Animal Diseases:** (1) The Veterinary Officer shall provide measures for prevention and control of the spread of any contiguous disease to animals, birds, poultry.

(2) The Veterinary Officer shall supervise compulsory inoculation of animals and poultry birds as may be necessary to prevent carrying of such contiguous and Zoonotic diseases.

**6. Seizure of Sick Animals:** (1) The Veterinary Officer shall seize any such animal / poultry bird which appears to him to be diseased or being fed on deleterious substance, filth or refuse of any kind which is dangerous to the health of a consumer or is unfit for human consumption or any cruelty is being done to animals / birds or poultry in contravention of these bylaws as the case may be;

(2) The Veterinary Officer may either on its own motion, complaint, information may seize any animal that is unable to work and come within the definition of cruelty to animals, defined in any law for the time being in force.

**7. Procedure to be Followed:** (1) The Livestock Breeder / Farmer shall be required to produce the animals herd for technical inspection whenever so directed by the authorized Veterinary Officer.

(2) The Livestock Breeder / Farmer shall be required to maintain breeding and other records in such forms and registers as may be prescribed by the Livestock Wing, of the District Government. The record shall always be required to be opened to inspection by the authorized Veterinary Officer.

(3) The Veterinary Officer or designated officers of the livestock wing may inspect the bulls meant for breeding purposes kept at any farm, or by any individual within local area of the District Government..

(4) Inferior quality buffalo, cow and bull shall be culled. The testing and registration of bulls of the same breed shall be made compulsory.

(5) No person shall be allowed to keep a bull, which has attained the age of two years unless it has been registered in the nearby Artificial Insemination Centre / Sub-Centre, or such bull has to be desexed in accordance with the prescribed procedure and rule, as the case may be.

**8. Breed Improvement:** The existing Provincial Breeding Policy of Livestock and Dairy Development Department shall be implemented in letter and spirit in the District. The mal-practice of indiscriminate cross-breeding shall be

discouraged to conserve the native breeds, in the areas where the Artificial Insemination services are provided by the District Government.

- 9. Poultry Production:** (1) The Authority shall ensure definite check on the quality of day old chicks to avoid chances of vertical transmission of diseases which may cause severe economic loss to poultry farmers as well as hazard to human health. The authorized Veterinary Officer shall check the health status of a day old chicks as well as the parent flock in hatcheries and farms.
- (2) The poultry farmers, breeders and hatchery owners shall provide records of prophylactic and control measures of their flock as prescribed by the live stock department to the concerned District Government to ensure healthy supply to the consumers.
- (3) The Veterinary Officer shall ensure that poultry feed is not injurious to human health and is properly laboratory tested and approved.
- (4) The vehicles used for transportation of poultry chicks, birds, feeds, products and by-products shall be properly designed, covered and cleaned, to avoid spreading of poultry diseases.
- (5) The District Government shall from time to time fix the maximum number of birds to be kept in each farm to ensure cleanliness to avoid hazard to birds' life.
- (6) No poultry farm shall be established without having obtained licence from the Authority,
- (7) Every Poultry farmer shall be required to have proper disposal pits for the efficient management of flock mortality.
- (8) The fancy poultry breeders shall be required to obtain a scheduled certificate regarding vaccination of the birds from the Poultry Production component of the Livestock Wing of the District Government.
- (9) The poultry farmer shall ensure per cubic feet capacity of birds in cage, in farm or in transportation vehicle as prescribed by the Authority.

**10. Establishment of Chemical Laboratory:** (1) The District Government shall establish a chemical laboratory under the supervision of a qualified analyst to analyze:

- (i) animal feed;
- (ii) veterinary medicines;
- (iii) contagious disease of animals..

(2) If in the opinion of analyst any feed or veterinary medicine is sub-standard, injurious to human consumption or unfit for feeding purposes, the authority may confiscate and destroy it.

(3) If any animal, is found to be victim of contagious disease, the Authority may dispose of the same in the manner as deemed necessary.

**11. Cases of Carcasses:** (1) In case of the casualty, of any animal, within the premises of Veterinary Hospital / Dispensary / Artificial Inseminations Centers or Sub-Centers, the person in charge of the hospital shall order removal of the such animal, birds or poultry from such premises, and where the owner fails to remove such dead body within the specified period shall remove it or dispose it of by open auction at the spot and the proceeds of the auction shall be forfeited in favor of the institution.

(2) The auction purchaser of dead body shall be responsible to remove it within one hour of the auction.

(3) The dead body shall not be processed at a place accessible to public or public sight

**12. Prohibitions:** (1) Persons bringing animals to the Veterinary Hospital /Dispensary/Artificial Inseminations Centers / Sub-Centers or laboratory shall be responsible for any damage to installations, fittings, fixtures caused by them or their animals, and these animals shall only be released on making good the loss sustained by such institution by the owners of such animal.

Provided that the person bringing the animal shall be absolved of any liability of any such loss caused, once the animal is handed over to the institution.

(2) No nuisance shall be caused by the owner of animal within the premises of the Institution, Dispensary, Artificial Insemination Centre or Sub-Centre.

**13. Offences and Punishment.-** whoever contravenes any of the provision of these bylaws shall be punished under Section 141 of the Ordinance.

**14. Appeals.-** Any person aggrieved by an order, passed under these bylaws, may file appeal to the “Appellate Authority” as prescribed under the Punjab Local Government (Appeal) Rules, 2002

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