

THE PUNJAB TEHSIL/TOWN MUNICIPAL ADMINISTRATION RULES OF BUSINESS, 2002

[15th March, 2002]

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TEXT

[SOV(LG)5-43/2001]

[15th March, 2002]

PART A-GENERAL

1. Short title and commencement.- (1) These rules may be called the Punjab Tehsil/Town Municipal Administration Rules of Business, 2002.

(2) They shall come into force at once.

2. Definitions.- (1) In these rules, unless the subject or context otherwise requires.-

- (i) “**business**” means all work done by the Tehsil/Town Municipal Administration in pursuance of the provisions of the Punjab Local Government Ordinance, 2001 (XIII of 2001) and these rules;
- (ii) “**bye-laws**” mean the bye-laws made by Tehsil/Town Council under section 192 of the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (iii) “**case**” means a particular matter under consideration and includes all papers relating to it and necessary to enable the matter to be disposed of, viz., correspondence and notes and also any previous papers on the subject or subjects covered by it or connected therewith;
- (iv) “**Chief Officer**” means the officer incharge of the establishments providing municipal services in a former municipal corporation, municipal committee or town committee area under the repealed Punjab Local Government Ordinance, 1979;
- (v) “**Chief Officer’s Unit or Co Unit**” means a defunct Tehsil/ Town Committee or Municipal Corporation established under the repealed Punjab Local Government Ordinance, 1979 whose administrative set up has been kept intact under the provisions of the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (vi) “**Council**” means the Tehsil/Town Council of the Tehsil/Town concerned;
- (vii) “**Decentralize or “Decentralized**” means conferment by the Government under the Punjab Local Government Ordinance, 2001 (XIII of 2001), of its administrative and financial authority for the management of specified offices of the Provincial Government to the local governments;
- (viii) “**District Government**” means a district government consisting of Zila Nazim and District Administration as provided in Section 13 of the Punjab Local Government Ordinance, 2001 (XIII of 2001), and includes “City District Government”;
- (ix) “**Government**” means the Government of the Punjab, ¹LG&RD Department;
- (x) “**Local Fund**” means a fund established under Section 107 of the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (xi) “**Local Tax**” means a tax levied by Tehsil/Town Council under section 116 of the Punjab Local Government Ordinance; 2001 (XIII of 2001);
- (xii) “**Ordinance**” means the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (xiii) “**Provincial Local Government Commission**” means a Commission appointed by the Government under section 131 of the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (xiv) “**Public representative**” means an elected person to a political office;
- (xv) “**Tehsil/Town Offices**” mean offices mentioned in Schedule-I to these rules;
- (xvi) “**Tehsil/Town Council**” shall have the same meaning as is assigned to it in section 65(1) of the Punjab Local Government Ordinance, 2001 (XIII of 2001);
- (xvii) “**Tehsil/Town Municipal Administration**” means a Municipal Administration comprising the Tehsil/Town Nazim, Tehsil/Town Municipal Officer, Tehsil/Town

¹ Inserted LG&RD after the word Punjab.

Officers, Chief Officers and other officials of Local Council Service and officials of the offices entrusted to the Tehsil/Town Municipal Administration as defined in sections 49 and 50 of the Punjab Local Governments Ordinance, 2001 (XIII of 2001);

(xviii) **“Tehsil/Town Municipal Officer”** means an Officer incharge Tehsil/Town offices appointed under the Punjab Local Government Ordinance, 2001(XIII of 2001); and

(xix) **“Tehsil/Town Nazim”** shall have the same meaning as is assigned to it in Chapter-V of the Punjab Local Government Ordinance, 2001 (XIII of 2001).

(2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them under the Punjab Local Government Ordinance, 2001 (XIII of 2001).

3. Allocation of Business:- (1) The Tehsil/Town Municipal Administration shall consist of Tehsil/Town Offices as well as such CO Units that are located within its jurisdiction.

(2) The business of Tehsil/Town Municipal Administration shall be distributed amongst Tehsil /Town Offices in the manner indicated in Schedule-I.

Provided that the functions assigned to the City District Government through notification by the Government shall stand deleted from the business allocated to the Town Municipal Administration falling within the area of that District Government;

Provided further that this distribution of business shall not apply to CO Units, which shall continue providing municipal services under the executive control of Tehsil/Town Nazim through the Tehsil/Town Municipal Officer until any contrary order is made by the Government.

(3) Unless varied and notified by the Government, the decentralized offices in a Tehsil/Town shall continue performing their assigned functions and provide services to the people within their area of jurisdiction as they were doing on the commencement day of the Ordinance.

4. Organization of Tehsil/Town Offices:- (1) Each Tehsil/Town Office shall consist of Tehsil/Town Officers and such officials as the Government may determine.

(2) The Tehsil/Town Municipal Officer, shall, by means of a standing order and with the approval of the Tehsil/Town Nazim, distribute the work among the officers, branches and sections of each Tehsil Office.

(3) The duty lists of all the officials in Tehsil/Town Municipal Administration shall be prepared and compiled in the form of a booklet by Tehsil/Town Municipal Officer for ready reference. A copy of the same shall be submitted to the Tehsil/Town Nazim and other concerned officers.

(4) The duty lists shall be reviewed by the Tehsil/Town Officer and the Chief Officer on yearly basis for identifying redundant Jobs in the office concerned and issue revised lists if deemed necessary. The Tehsil/Town Officer or the Chief Officer on the basis of the review carried out under sub-rule (4), may recommend reduction of posts or otherwise in the annual budget of his office.

(5) If in the opinion of the Tehsil/Town Officer or the Chief Officer, new posts are required in an office under his jurisdiction, he shall submit a detailed justification for creation of such new posts along with the budget proposal.

(6) The Tehsil/Town Municipal Officer shall supervise the work assigned to the offices, branches and sections of each Tehsil/Town Office as well as CO Units under his control.

(7) In the absence of the Tehsil/Town Municipal Officer for any reason, the Tehsil/Town Nazim may assign the charge of the post of the Tehsil/Town Municipal Officer to any Tehsil/Town Officer or Chief Officer of the Tehsil/Town Municipal Administration:

Provided that in the event of absence of the Tehsil/Town Municipal Officer due to his transfer the case for posting of a regular Tehsil/Town Municipal Officer shall be initiated without any delay.

Explanation: For the purpose of this rule, the absence of Tehsil/Town Municipal Officer means leave of the officer for more than 10 days or relinquishment of his charge of the post due to his transfer.

(8) In absence of the Tehsil/Town Officer or the Chief Officer, the Tehsil/Town Nazim may, in consultation with the Tehsil/Town Municipal Officer, assign the additional charge of the

post of the Tehsil/Town Officer or the Chief Officer to any other Tehsil/Town Officer or the Chief Officer, as the case may be.

5. Functions and Powers of the Tehsil/Town Nazim.- (1) The Tehsil/Town Nazim shall-

- (a) be the head of Tehsil/Town Municipal Administration and shall perform such functions and exercise such powers as have been assigned to him under the Ordinance and these rules;
- (b) be responsible for co-ordination of all policy matters;
- (c) have the powers to call for any case or information from any Tehsil/Town Office;
- (d) keep informed the District Government on matters related to local taxation;
- (e) furnish such information relating to administration of affairs of Tehsil/Town as the Government and District Government may call for;
- (f) communicate to the Government all important issues including administration, development, planning and taxation; and
- (g) enforce the policies of the Government.

(2) No order shall be issued without the approval of the Tehsil/Town Nazim in cases enumerated in Schedule-II.

(3) The cases enumerated in Schedule-III shall be submitted to the Tehsil/Town Nazim for his information. The Tehsil/Town Nazim may require any other case to be submitted to him for information.

(4) Decisions taken by the Tehsil/Town Nazim shall not be varied, reversed or infringed without consulting him.

(5) The Tehsil/Town Nazim shall ensure that the business of the Tehsil/Town Municipal Administration is carried out in accordance with the provisions of the Ordinance and other laws for the time being in force.

(6) In the case of Provincial Government employees, the Tehsil/Town Nazim shall in consultation with the Government initiate action in accordance with the provisions of the relevant Efficiency and Discipline Rules against those officers and employees who have been reported to be inefficient, undisciplined or corrupt by a Monitoring Committee.

6. Functions and Powers of the Tehsil/Town Municipal Officer.- In addition to the duties and functions assigned to him under any other provisions of the Punjab Local Government Ordinance, 2001, (XIII of 2001) and these rules, the Tehsil/Town Municipal Officer shall-

- (a) be the Principal Accounting Officer of the Tehsil/Town Municipal Administration and shall be the focal person in the Tehsil/Town Municipal Administration;
- (b) co-ordinate the activities of all Tehsil/Town Offices and shall be responsible for execution of sanctioned policy relating to the Tehsil/Town Municipal Administration;
- (c) have the powers to call for any case or information from any Tehsil/Town Office;
- (d) where the Tehsil/Town Nazim's orders appear to involve a departure from rules, regulations or Government policy, ²refer the case to the Government for decision; and
- (e) in matters of policy and important decisions, the Tehsil/Town Municipal Officer shall obtain approval of the Tehsil/Town Nazim before communicating such matters and decisions to the Government.

7. Duties and functions of Tehsil/Town Officers.- (1) A Tehsil/Town Officer, in addition to the provisions of the Punjab Local Government Ordinance, 2001 (XIII of 2001), shall-

- (a) assist the Tehsil/Town Municipal Officer in formulation of policy and bring the cases to the notice of the Tehsil/Town Municipal Officer which are required to be submitted to the Tehsil/Town Nazim under these rules;
- (b) duly execute the sanctioned policy;
- (c) exercise general supervision over programmes, projects, services and activities of the office under his control;

² Inserted "refer the case to the Government for decision"

- (d) submit all proposals for taxation find the bye-laws to the Tehsil/Town Council through the Tehsil/Town Municipal Officer and Tehsil/Town Nazim; provided the taxation proposals shall be scrutinized by the Tehsil/Town Officer (Finance) before submission to Tehsil/Town Municipal Officer and Tehsil/Town Nazim;
- (e) be responsible to the Tehsil/Town Municipal Officer for the proper conduct of the business of the Tehsil/Town Office:
- (f) subject to any general or special order of Government in this behalf, issue standing orders specifying the cases or other classes of cases which may be disposed of by an officer subordinate to the Tehsil/Town Officer; and
- (g) be responsible for the careful observance of these rules in Tehsil/Town Offices under his control.

(2) While submitting a case for the orders of the Tehsil/Town Nazim or Tehsil/Town Municipal Officer, it shall be duty of the Tehsil/Town Officer to suggest a definite line of action.

8. General procedure for disposal of business.- (1) Instructions as to the manner of disposal of the business of the Tehsil/Town Administration shall be issued by the Tehsil/Town Municipal Officer with the approval of Tehsil/Town Nazim.

(2) If any doubt arises as to the Tehsil/Town Office to which a case properly pertains, the matter shall be referred to the Tehsil/Town Municipal Officer, who with the approval of the Tehsil/Town Nazim, shall refer the case to the Government, and the orders thus passed shall be final.

(3) All orders shall be made in writing. Where a verbal order is made, the officer receiving the order shall reduce it in writing and, as soon as may be show it to the authority making the order.

(4) If any order contravenes any law, rule or policy decision it shall be the duty of the officer next below the officer making such order to point it out to the officer making the order and the latter shall refer the case to the next higher authority.

(5) If any doubt or dispute arises as to the interpretation of these rules, the case shall be referred to the Government whose decision thereon shall be final.

9. Orders, Instruments, Agreements and Contracts.- (1) All executive actions of the Tehsil/Town Municipal Administration shall be expressed to be taken in the name of the Tehsil/Town Municipal Administration.

(2) Subject to the provisions of the Ordinance and the rules framed thereunder, every order, instrument, agreement or contract of the Tehsil/Town Municipal Administration shall be expressed to be made in the name of the Tehsil/Town Municipal Administration and shall be executed by the Tehsil/Town Nazim or an officer duly authorized by him for this purpose.

(3) The Tehsil/Town Municipal Officer shall sign the notifications on behalf of the Tehsil/Town Municipal Administration for publication in the official Gazette,

PART B-OFFICE PROCEDURE

10. Consultation among offices.- (1) When the subject of a case concerns more than one office-

- (a) the Tehsil/Town Officer concerned or the Chief Officer shall be responsible for consulting the other offices; and
- (b) no orders shall be issued nor shall the case be submitted to the Tehsil/Town Nazim, until it has been considered by all the offices concerned:

Provided that in cases of urgency, and with the approval of the Tehsil/Town Nazim, this requirement may be dispensed with, but the case shall, at the earliest opportunity, thereafter be brought to the notice of the other office concerned in writing.

(2) When a case is referred by one office to another office for consultation, all relevant facts and the points necessitating the reference shall be clearly brought out.

(3) In the event of difference of opinion amongst the offices, the Tehsil/Town Officer or the Chief Officer primarily concerned shall refer the case to the Executive Committee constituted under rule 14.

(4) A Tehsil/Town Officer or a Chief Officer may ask through Tehsil/Town Municipal Officer to see a case of another office if it is required for the disposal of a case pending in his office.

(5) In case a Tehsil/Town Officer or a Chief Officer has submitted a case directly to the Tehsil/Town Nazim for any cogent reason, the Tehsil/Town Nazim shall after recording his decision return the case through the Tehsil/Town Municipal Officer. In case the Tehsil/Town Municipal Officer considers that the proposal of the Tehsil/Town Officer or the Chief Officer or the decision of the Tehsil/Town Nazim is against the policy of the Government or is contrary to the laws or rules for the time being in force, ³he shall refer the case to the Government for decision.

(6) The Tehsil/Town Municipal Officer may ask to see a case of any office involving important policy question.

11. Reference to the Tehsil/Town Nazim.- (1) No order regarding Tehsil/Town Municipal Administration shall be issued without the approval of the Tehsil/Town Nazim in cases involving important policy or departure from important policy or cases enumerated in Schedule-II:

Explanation.- Departure from policy includes departure from a previous decision of the Tehsil/Town Nazim.

(2) The Tehsil/Town Nazim may require any case to be submitted to him for information.

12. Consultation with Tehsil/Town Finance Office.- (1) No Tehsil/Town Office shall, without previous consultation with the Tehsil/Town Finance Office, authorize any order which in particular involves:

- (a) relinquishment, remission or assignment of revenue relating to local funds, actual or potential, or furnish a guarantee against it, or grant of all kind of leases;
- (b) expenditure for which no provision exists;
- (c) levy of taxes, duties, fee or cases listed in Part II of Second Schedule of the Punjab Local Government Ordinance, 2001.
- (d) re-appropriations within budget grants; and
- (e) interpretation of bye-laws made by the Finance Office.

(2) No proposal, which requires previous consultation with the Finance Office under sub-rule (1) and to which the Finance Office has not concurred, shall be proceeded with unless a decision to that effect lies been taken by the Tehsil/Town Council. Formal orders shall only be issued after the Finance Office has exercised scrutiny over the details of the proposal.

13. Legal Advice.- The Tehsil/Town Municipal Officer shall consult the Tehsil/Town Nazim regarding cases/matters requiring legal advice.

14. Executive Committee.- (1) The Tehsil/Town Nazim shall constitute an Executive Committee with the Tehsil/Town Municipal Officer as its Chairman and all Tehsil/Town Officers and Chief Officers its members, to deal with all matters concerning two or more offices, all matters of administrative, financial or public policy, to facilitate coordination among the offices of the Tehsil/Town Municipal Administration, to provide avenue for the consideration of matters of common interest and to tender advice in any case that may be referred to the Tehsil/Town Council or the Tehsil/Town Nazim.

(2) A Tehsil/Town Officer or a Chief Officer who wishes a particular matter to be discussed in the Executive Committee meeting, shall apprise the Tehsil/Town Municipal Officer of his intention of doing so and forward ten copies of a brief note on the subject which would form the basis of discussion.

(3) The Tehsil/Town Municipal Officer shall issue notice of the meeting together with the agenda, well in advance of the meeting provided that urgent items may be considered at short notice.

(4) Minutes of the meeting shall be recorded by an officer nominated by the Tehsil/Town Municipal Officer who shall attend the meeting for the purpose and circulate such minutes after approval by the Tehsil/Town Municipal Officer.

³ Substituted "he shall refer the case to the Government for decision"

(5) In the event of a difference of opinion on any issue amongst the members of the Executive Committee, the case shall be submitted to the Tehsil/Town Nazim through the Tehsil /Town Municipal Officer.

15. Manner of submission of cases.- (1) When a case is required to be submitted to the Tehsil/Town Municipal Officer, it shall be the responsibility of the Tehsil/Town Officer or the Chief Officer concerned to ensure that all relevant papers, references and extracts of the laws and rules are submitted along with the case for quick disposal.

(2) In his note, the Tehsil/Town Officer or the Chief Officer concerned shall certify that all the relevant papers required for the disposal of the case have been submitted.

(3) All files and records shall be kept and maintained by the Tehsil Office or Chief Officer unit concerned in the prescribed manner.

(4) Any officer who notices that tampering of records has been made by his staff or colleague, he shall bring it to the notice of the Tehsil/Town Municipal Officer for an appropriate action against the accused.

(5) No page of the file either of the note portion or of the correspondence portion shall be removed.

(6) All notes shall be temperately written and shall be free from personal remarks.

(7) Proper decorum shall be observed in commenting upon the notes recorded by the senior officers and where an error is to be pointed out and an opinion is to be criticized, it shall be done in a respectful language.

(8) If a note has been written in the note portion erroneously, it shall be crossed out and a new note shall be written.

16. Meetings.- (1) The Tehsil/Town Officer and the Chief Officer shall endeavor to convene meetings of all the officers under his control once in a month to discuss-

(i) important pending cases;

(ii) specific problems calling for general expression of views or exchange of ideas; and

(iii) questions of general interests concerning the Tehsil/Town Office or the Chief Officer unit, as the case may be.

(2) Brief minutes shall be recorded mentioning only the salient points considered and the decisions taken. Individual view-points shall not be recorded except on request.

17. Information to be supplied to a Monitoring Committee.- (1) The Chairman or a member of a Monitoring Committee shall not contact formally or informally any officer or official other than the Tehsil/Town Officer or the Chief Officer for obtaining information required by the Committee regarding his office.

(2) The Chairman of the Committee shall ask for information in writing and the officer in charge shall supply the information as early as possible.

(3) Where the requisite information is of classified nature, the information shall be supplied after observing all the formalities as prescribed in the relevant rules and instructions.

18. Processing of fresh receipts.- (1) All fresh receipts/cases shall be processed promptly.

(2) No case shall be kept pending for more than three days by an officer. If processing of a case requires more time, the immediate superior shall be informed. A report of the pending cases in an office shall be prepared at the end of every month and submitted to the Tehsil/Town Municipal Officer. Reasons for delay in the disposal of such cases shall be recorded.

19. Dealing with the public representatives and visitors.- (1) All officers and officials working in the Tehsil/Town Municipal Administration shall use polite and decent language while dealing with the public representatives and visitors in their offices.

(2) As far as possible entertainment of the public representatives and visitors during office hours shall be avoided.

(3) All offices of the Tehsil/Town Municipal Administration shall have timings for public dealing. All concerned officers and officials shall remain available during the public dealing time for quick service.

(4) The Tehsil/Town Officer and the Chief Officer shall be responsible to ensure that citizens do not face any inconvenience.

20. Approach to public representatives in service matters.- (1) No employee shall, directly or indirectly, approach any public representative or any other non-official person to intervene on his behalf in his service matters.

(2) No employee shall bring or attempt to bring political or other outside influence, directly or indirectly, to bear on officers of Tehsil/Town Municipal Administration, in support of any claim arising in connection with his employment as such.

21. Service Record, Performance Evaluation Reports Or Annual Confidential Reports.-

(1) The General/Establishment Branch of the Tehsil/Town Municipal Administration shall be responsible to maintain the service record, performance evaluation reports or annual confidential reports of all direct employees of the Tehsil/Town Municipal Administration (formerly servants of the local council); and, copies of performance evaluation reports and annual confidential reports of all other officers and officials (formerly of the Local Council Service and others) including those working in the Chief Officer units in line with the policy and instructions issued by the Government on the subject.

(2) The General/Establishment branch of a Chief Officer unit shall be responsible to maintain the service record of all direct employees (formerly servants of the local councils) working in a Chief Officer Unit.

22. Promotions.- (1) Cases for promotion of officers and officials of the Provincial Government shall be processed by the Government.

(2) Cases for promotion of the officers and officials of Local Council Service posted in any office of the Tehsil/Town Municipal Administration shall be processed in accordance with the provisions of the relevant rules applicable to Local Council Service.

(3) Cases for promotion of officers and officials of the servants of Local Government shall be processed according to the rules applicable to such category of employees.

23. Bar against dealing with cases relating to officer's own promotion, transfer, pay or allowances or conduct.- No officer shall deal with a case relating to his own promotion, transfer, pay or allowances or with a case dealing with his own official conduct.

24. Administrative and Financial Powers.- No senior officer of the Tehsil/Town Municipal Administration shall exercise the powers delegated to a junior officer. If a situation requires the exercise of such authority by a senior officer, he shall record the reasons for exercising the authority and submit the case to the Tehsil/Town Nazim for information.

25. Periodical report of activities of offices.- There shall be prepared, for information of the Tehsil/Town Nazim, a quarterly report of the activities of each office by each Tehsil/Town Officer or Chief Officer in the prescribed manner.

26. Submission of issues to the Zila Mushawarat Committee.- (1) The Tehsil/Town Municipal Officer shall under the directions of the Tehsil/Town Nazim be responsible to prepare the summary on each of the issues to be brought before the Zila Mushawarat Committee.

(2) The Tehsil/Town Municipal Officer shall be responsible for follow up action on the decisions taken by the Zila Mushawarat Committee.

27. Action on the reports of the Monitoring Committees.- (1) The reports of the Monitoring Committees regarding Tehsil/Town Municipal Administration shall be examined by the Tehsil/Town Municipal Officer and a summary shall be submitted to the Tehsil/Town Nazim for suggesting a line of action against any inefficient, incompetent and corrupt officer or official of the Tehsil Municipal Administration.

(2) The Tehsil/Town Nazim shall inform the Council about the action taken by him on the reports of the Monitoring Committee.

28. Complaint Cell.- The Complaint Cell established under Section 188 of the Ordinance shall function under the direct supervision of the Tehsil/Town Nazim.

29. Internal Audit.- (1) The head of Internal Audit office shall report to the Tehsil Nazim.

(2) The functions of the Internal Audit office shall be as prescribed by the Provincial Government.

(3) The organizational set up of the Internal Audit office shall be as approved by the Provincial Government.

30. Inspections by the Provincial Local Government Commission.- (1) The Tehsil/Town Municipal Administration shall provide all the necessary support to the Inspection Teams deputed by the Provincial Local Government Commission while conducting annual and special inspections of the Tehsil/Town Municipal Administration.

(2) The offices of the Tehsil Municipal Administration shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the Tehsil Nazim.

31. Inspection by the Tehsil/Town Municipal Officer.- (1) The Tehsil/Town Municipal Officer shall inspect the working of offices in Tehsil/Town Municipal Administration once every six months. He shall pay special attention to-

- (i) compliance with the rules, standing instructions, orders and office directives;
- (ii) security arrangements;
- (iii) general office management; and
- (iv) proper use and care of property, equipment and stationery etc. under the control of an office.

(2) A copy of the inspection report shall be submitted to the Tehsil/Town Nazim. The report shall also indicate steps taken or required to be taken for corrective measures.

(3) The Tehsil/Town Officer or the Chief Officer shall take follow up actions required to be taken for corrective measures.

32. Action on the reference received from Zila Mohtasib.- (1) The reference received from the office of the Zila Mohtasib shall be attended to promptly for compliance under intimation to the Tehsil/Town Nazim.

(2) The references requiring action by the Tehsil/Town Municipal Administration shall be implemented in letter and spirit.

33. Weeding of records.- (1) Records of the Tehsil Municipal Administration shall be scrutinized after every five years by the incharge of the office.

(2) The instructions of the Provincial Government for weeding out records and classification of files shall be applicable to the records of the Tehsil/Town Municipal Administration. All decisions for retention or otherwise of record etc. shall be taken in the light of such instructions.

(3) The Tehsil/Town Municipal Officer shall organize a central record room where record of permanent nature shall be retained and preserved for specified periods.

PART C - POSTINGS, TRANSFERS AND FINANCIAL POWERS

34. Postings and transfers.- (1) The Authorities for postings and transfers of officers /officials in the offices working under the control of Tehsil/Town Municipal Administration shall be as follows:

- (a) Where WASA or Development Authorities or both are part of Tehsil/Town Municipal administration:

Category of Officers/officials Authority

- (i) BS-17 and above Tehsil/Town Nazim
(except TOs/COs)
- (ii) BS-16 and below Tehsil/Town Municipal
(except TOs/COs) Officer

- (b) Where Tehsil/Town Municipal Administration is located at District Headquarters:

Category of officers/officials Authority

- (i) BS-12 and above Tehsil/ Town Nazim
(except TOs/COs)
- (ii) BS-11 and below Tehsil/Town Municipal
(except TOs/COs) Officer

- (c) All other Tehsil/Town Municipal Administration:

Category of officers/officials Authority

- (i) BS-9 and above Tehsil/ Town Nazim
(except TOs/COs)
- (ii) BS-8 and below Tehsil/Town Municipal
(except TOs/COs) Officer

(2) The Tehsil/Town Nazim or the Tehsil/Town Municipal Officer may, by order in writing, delegate the powers vesting in him under this rule to any officer of the Tehsil/Town Municipal Administration, to the extent and subject to such terms and conditions as may be specified in such order and may, in the same manner, alter, modify or withdraw such delegated powers.

35. Operation of accounts of Local Fund.- (1) The Tehsil/Town Nazim shall operate the accounts of local fund of the Tehsil/Town Municipal Administration jointly with the Tehsil/Town Municipal Officer where the amount to be drawn from the account by cheque exceeds Rs. 50,000/-

Provided that the Tehsil/Town Officer (Finance) may be authorized in writing by the Tehsil/Town Nazim to operate the accounts jointly with him in the absence of Tehsil/Town Municipal Officer.

Explanation.- The absence of Tehsil/Town Municipal Officer means when he is either on leave for more than 10 days and the charge of his post has not been assigned to another officer during the period of leave or the post of Tehsil/Town Municipal Officer is vacant after transfer of the previous incumbent of the post.

(2) Where the amount of cheque is less than Rs. 50,000/- the cheque shall be signed jointly by the ⁴Tehsil Officer(Finance) and the Tehsil/Town Municipal Officer:

Provided that in case of a CO Unit, the cheque shall be signed jointly by the Chief Officer of the CO Unit and the Tehsil/Town Municipal Officer.

36. Financial Powers.- The following authorities of the Tehsil/Town Municipal Administration shall have the same financial powers of the category of officer indicated against that authority as given in the Second Schedule, Part I (powers common to all departments) in the Delegation of Financial Powers Rules, 1990 of the Government of Punjab for sanctioning and incurring contingent expenditure out of local fund for items duly provided in the sanctioned budget:

	<u>Authority</u>	<u>Category of officer</u>
a.	Tehsil/Town Nazim	Full powers
b.	Tehsil/Town Municipal	Officer Category II Officer
c.	Tehsil/Town Officer	Category III Officer

⁴ Substituted the word "Accounts Officer" with "Tehsil Officer(Finance)"

PART D-M1SCCELLANEOUS PROVISIONS

37. Protection and communication of official information.- (1) No classified information acquired directly or indirectly from official documents or relating to official matters shall be communicated by an employee of Tehsil/Town Municipal Administration to the press, to non-officials, or officials belonging to other Government offices, unless he has been generally or specially empowered to do so.

(2) Detailed instructions shall be issued by the Tehsil/Town Municipal Officer for the treatment and custody of official documents, computer diskettes and information of a confidential character.

(3) Ordinarily all official news and information shall be conveyed to the press through the Tehsil/Town Municipal Officer in the manner prescribed generally or specially in each case.

38. ⁵In case of any financial loss, duly verified by the Audit authorities, the concerned officer(s)/official(s) shall be held responsible and the Government shall pass an order to recover such amount. In case of failure to deposit the amount, the Government shall pass an order to recover such amount as arrears of land under Land Revenue Act, 1967.

39. Channel of correspondence.- (1) ⁶Correspondence with the District/City District Government or any other Tehsil/Town Municipal Administration shall be conducted by the Tehsil/Town Municipal Officer and it shall be addressed to the District Coordination Officer or the Tehsil/Town Municipal Officer, as the case may be. The correspondence with the Provincial Departments shall be routed through the Government.

(2) Correspondence with the Union Administration of the same tehsil/town shall be conducted directly by the offices in respect of the subjects allocated to them and it shall ordinarily be addressed to the Union Nazim concerned.

⁵ Inserted new rule-38 and existing rule-38 has been re-named as rule-39.

⁶ Substituted "Correspondence with the District/City District Government or any other Tehsil/Town Municipal Administration shall be conducted by the Tehsil/Town Municipal Officer and it shall be addressed to the District Coordination Officer or the Tehsil/Town Municipal Officer, as the case may be. The correspondence with the Provincial Departments shall be routed through the Government.

SCHEDULE – I

(See Rule 3(2))

Tehsil/Town Office	Allocated Business
Municipal Regulation	<ol style="list-style-type: none">1. Regulate markets and service;2. Issue licenses, permits, grant permissions and impose penalties for violation thereof as and when applicable;3. Management of municipal lands, estates, properties, facilities, assets and enterprises vested in the Tehsil/Town Municipal Administration;4. Enforcement of all municipal laws, rules and byelaws governing the functioning of Tehsil/Town Municipal Administration;5. Prevention of encroachments on public lands and places;6. Prosecute, sue and follow up criminal, civil and recovery proceedings against violators of municipal laws in the courts of competent jurisdiction; and7. Regulate affixing of signboards and Advertisements
Infrastructure and Services	<ol style="list-style-type: none">1. Provision, management, operation, maintenance and improvement of the municipal infrastructure and services, including:<ol style="list-style-type: none">(i) Water supply and control and development of water resources, other than systems maintained by the Union and Village Councils;(ii) Sewage and sewage treatment and disposal;(iii) Storm water drainage;(iv) Sanitation and solid waste collection and sanitary disposal of solid, liquid, industrial and hospital wastes;(v) Roads and streets, other than roads falling under the jurisdiction of, and maintained by, the district government, or provincial government and streets maintained by the Union Administration or Village Council;(vi) Traffic planning engineering and management including traffic signaling systems, signs on roads, street markings, parking places, transport stations, stops, stands and terminals;(vii) Street lighting;(viii) Fire fighting;(ix) Parks, playgrounds, open spaces and arboriculture; and(x) Slaughter houses.2. Organize sports, cultural, recreational events, fairs and shows.3. Organize cattle fairs and cattle markets; and4. Coordinate and support municipal functions amongst Unions and Villages.
Planning	<ol style="list-style-type: none">1. Prepare spatial plans for the tehsil/town in collaboration with Union Administrations including plans for land use, zoning and functions

for which tehsil/town administration is responsible;

2. Exercise control over land use, land sub-division, land development and zoning by public and private sectors for any purpose including agriculture, industry, commerce, markets, shopping and other employment centers, residential, recreation, parks, entertainment, passenger and transport freight and transit stations;
3. Building control;
4. Execute and manage development plans;
5. Develop and manage schemes including site development in collaboration with District Government and Union Administrations;
6. Compile information provided by Union and Village Councils of prioritized projects in the tehsil/town; and
7. Maintain municipal records and archives.

Finance

1. Prepare budget, long-term and annual municipal development programmes in collaboration with the Union Administrations under the directions of Tehsil/Town Nazim;
2. Propose taxes, cess, user fees, rates, rents, tolls, charges, fines and penalties under Part II of the Second Schedule of the Punjab Local Government Ordinance, 2001 (XIII of 2001) for approval of the Tehsil Council and notify the same after such approval;
3. Collect approved taxes, cess, user fees, rates, rents, tolls, charges, penalties and fines;
4. Management and control of local fund;
5. Prepare financial statements and present them for internal and external audit in the manner as may be prescribed;
6. Maintenance of accounts; and
7. Maintain with the assistance of the District Government, Union and Village Councils, a comprehensive database and information system for tehsil/town municipal administration and provide public access, to it on nominal charges.

SCHEDULE II

(Sec. Rule 5(2))

List of cases to be submitted to the Tehsil/Town Nazim for his approval before issuance of orders.

1. Annual Budget Statement.
2. Laying of Supplementary Statement of expenditure before the Tehsil/Town Council.
3. Cases in which Provincial Government has issued directions.
4. Complaints to the Provincial Local Government Commission about dispute between any department of the Government, District Government/City District Government and Tehsil/Town Municipal Administration or between two Tehsil/Town Municipal Administrations.
5. All cases which are liable to involve Tehsil/Town Municipal Administration into controversy with Provincial Government, District Government/City District Government or with another Tehsil/Town Municipal Administration.

SCHEDULE III
{See Rule 5 (3)}

List of cases to be submitted to the Tehsil / Town Nazim for information

- 1. All periodical reports of T.M.O & TOs.**
- 2. Press notes issued by T.M.O & T.Os.**
- 3. Decisions or Guidance by Local Government Commission.**
- 4. Policy decisions, directives and orders of District Government, Provincial or Federal Government & laws, rules and regulations of the Provincial Government related to Tehsil/Town Municipal Administration.**

**THE PUNJAB TEHSIL/TOWN MUNICIPAL ADMINISTRATION RULES
OF BUSINESS, 2002
[SOV(LG)5-43/2001]**

[5th December, 2005]

CONTENTS

- 1. Amendment**

TEXT

THE PUNJAB TEHSIL/TOWN MUNICIPAL ADMINISTRATION RULES OF BUSINESS, 2002

AMENDMENT:

1. In clause (IX) of sub-rule (X) of rule – 2 after the word “Punjab” the words “In LG&RD Department” shall be inserted.

2. Clause (d) of rule 6 shall be substituted by the following.-

“where the Tehsil/Town Nazim’s orders appear to involve a departure from rules, regulations or Government policy, refer the case to the Government for decision; and”.

3. In sub-rule (5) of rule-10 the word “he shall resubmit the case to the Tehsil/Town Nazim proposing proper line of action and for reconsideration” shall be substituted by the words “he shall refer the case to the Government for decision”.

4. In sub-rule (2) of rule – 35 the words “Accounts Officer” shall be substituted by the words “Tehsil/Town Officer (Finance)”.

5. Sub-rule (1) of rule – 38 shall be substituted by the following:-

“Correspondence with the District/City District Government or any other Tehsil /Town Municipal Administration shall be conducted by the Tehsil/Town Municipal Officer and it shall be addressed to the District Coordination Officer or the Tehsil/Town Municipal Officer, as the case may be. The correspondence with the Provincial Departments shall be routed through the Government”.

6. After rule – 37, following new rule – 38 shall be inserted and existing rule-38 shall be re-numbered as rule-39:-

“In case of any financial loss, duly verified by the Audit authorities, the concerned Officer’s / Official’s shall be held responsible and the Government shall pass an order to recover such amount. In case of failure to deposit the amount, the Government shall pass an order to recover such amount as arrears of land under Land Revenue Act, 1967.”