

**THE TEHSIL MUNICIPAL ADMINISTRATION ATTOCK  
(REGULATION OF JUNKYARDS) BYE-LAWS, 2012**

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**THE TEHSIL MUNICIPAL ADMINISTRATION ATTOCK  
(REGULATION OF JUNKYARDS) BYE-LAWS, 2012**

**PREAMBLE:** WHEREAS it has been established by the experts that the junkyards are major larvae breeding sites of *Aedes Aegypti* and *Aedes Albectus* mosquitoes. It is therefore, expedient to regulate the trade in junk in extreme public interest as a public health measure across the Province.

AND WHEREAS the circumstances exist that render it necessary to take immediate steps to frame the Tehsil Municipal Administration Regulation of Junkyards bye-laws, 2012.

AND WHEREAS under section 192 read with Part-II of the Fifth Schedule of the Punjab Local Government Ordinance, 2001, the Tehsil Council may, in its ambit of responsibilities, make bye-laws to carry out the purposes of the Ordinance *ibid*.

NOW, THEREFORE, in exercise of the aforesaid powers and all other enabling provisions in this behalf, I Abid Khan Wazir Administrator Tehsil Municipal Administration Attock hereby approved the following bye-laws.

## 1. SHORT TITLE, EXTENT AND COMMENCEMENT.

- (1) These Bye-laws shall be called “Tehsil Municipal Administration Attock (Regulation of junkyards) bye-laws, 2012”.
- (2) These shall extend to the whole of the local area of the Tehsil Municipal Administration Attock.
- (3) These shall come into force with immediate effect.

## 2. DEFINITIONS.

In these Bye-Laws, unless there is anything repugnant in the subject or context, the following terms and expressions shall have the meanings hereby assigned to them:-

- (a) ‘**Local Area**’ means the area of territorial jurisdiction of Tehsil Municipal Administration Attock:
- (b) ‘**Government**’ means Government of the Punjab.
- (c) ‘**Junk**’ includes old and scrap metals, old ropes, rags, expired batteries, paper trash, rubber debris, used tyres, automobile wreckage and parts thereof, discarded goods or any other unused material.
- (d) “**Junkyard**” means a place of business which is established, maintained, operated or used for trading, storing, keeping, buying or selling junk;
- (e) “**Licence**” means permission to carry on a trade in junk within a local area of Tehsil Municipal Administration under such terms and conditions prescribed under these bye-laws;
- (f) “**Ordinance**” means the Punjab Local Government Ordinance, 2001;
- (g) “**Trade**” means a business of storing, keeping, buying or selling junk; and
- (h) “**TMA**” means the Tehsil Municipal Administration Attock

### **3. GENERAL PROCEDURE OF LICENSING:-**

No person shall carry on a trade in junk at any place in the local area of the Tehsil Municipal Administration unless a licence has been obtained in this behalf from the Tehsil Municipal Administration.

### **4. APPLICATION FOR GRANT OF LICENCE.**

- (1) If a person intends to carry on a trade in junk anywhere in the local area of the Tehsil Municipal Administration he shall apply to the Tehsil Officer(Regulations) in writing for grant of a licence in this behalf;
- (2) No application for grant of licence shall be entertained unless submitted on prescribed **FORM-I** and accompanied by the following documents:
  - (a) Copy of CNIC of the applicant;
  - (b) Description of the premises;
  - (c) Applicant's ownership/title documents in respect of the premises/place wherein the trade is to be undertaken;
  - (d) Tenancy agreement, if any; and
  - (e) Receipt/Challan form of payment of licence fee.
- (3) The Tehsil Officer (Regulations) shall send the application for licence to concerned inspector who shall inspect the junkyard and send his report within seven days to Tehsil Officer (Regulations).
- (4) The Tehsil Officer (Regulations) shall within seven days after the receipt of inspection report of the inspector, either grant licence on **Form-II** for a financial year ending 30<sup>th</sup> of June or refuse the licence with reason(s) to be communicated to the applicant in writing on **Form-III**.
- (5) The grant of a licence shall not be withheld by the Tehsil Officer (Regulations) unless he has reasons to believe that the trade is a nuisance or is likely to be dangerous to the public life and health.

### **5. FEE FOR LICENCE.**

- (1) Fee for new licence and renewal fee shall be levied by the Tehsil Municipal Administration under section 116 of the ordinance and determined in accordance with the procedure laid down in the Punjab Local Government (Taxation Rules 2001).

- (2) The prescribed fee shall be deposited in the local fund of Tehsil Municipal Administration

**6. NOTICE TO PERSON CARRYING ON UNLICENCED TRADE.**

Any person, who was, on the date of notification of these bye-laws carrying on this trade in any part of a local area, shall be bound to immediately apply for a licence for carrying on such trade in that part after receiving a notice under the prescribed **Form-III** in this behalf from the Tehsil Municipal Administration to do so. In case of non-compliance, the premises shall be sealed.

**7. GENERAL CONDITIONS FOR LICENCE.**

The licence shall:

- (1) Observe the prescribed terms and conditions under these bye-laws.
- (2) Keep the licence at the licensed premises and the Licence No./Registration No. shall be displayed at a conspicuous place in the premises, and on demand shall produce it for inspection;
- (3) Not in any case use or allow to be used licensed premises for any other purpose other than the one for which licence has been issued;
- (4) Keep an Inspection Register on the premises in which all inspections made by inspection authorities shall be recorded;
- (5) Get his licence renewed in the month of July each year on payment of prescribed fee; and
- (6) intimate the Tehsil Officer (Regulations) on closing of the junkyard or any change in the premises/location.

**8. RESPONSIBILITIES OF THE LICENCEE.**

The Licensee shall ensure that:

- (i) The junk is kept under a proper covering or shed;
- (ii) Premises is kept clean, ventilated, well-lit, well drained and junk appropriately stacked;

- (iii) The size of stacks should not obstruct inspection of junkyard around the year;
- (iv) as far as possible, junkyard shall have pedestrian passages between stacks to facilitate inspection;
- (v) all junk is kept empty and turned upside down to prevent water retention;
- (vi) Water from coverings and junk kept outdoor is drained immediately after rain;
- (vii) all depressions in junkyard are filled to prevent water pooling;
- (viii) timely preventive measures are taken and, where necessary, larviciding and fumigation is carried out during mosquito breeding seasons; and
- (ix) all junk is kept dried around the year.

**9. INSPECTION OF THE LICENCED PREMISES AND RENEWAL OF LICENCE.**

- (1) The Tehsil Officer (Regulations) or any inspector designated as such by the Tehsil Municipal Administration in this behalf, may inspect any premises, where the trade is being carried on. The inspecting officer shall, during the course of inspection, especially ensure that:
  - (a) the licence is displayed at a conspicuous place; and
  - (b) all terms and conditions required under these bye-laws are being followed by the licensee in letter and spirit.
- (2) The Tehsil Officer (Regulation) shall maintain the record of inspections in the prescribed **Form-V**
- (3) The licence shall be renewed annually after receiving a satisfactory inspection report.

**10. MAINTENANCE OF RECORD OF APPLICATIONS FOR GRANT/RENEWAL OF LICENCES.**

The Tehsil Officer (Regulations) shall maintain the record of the applications for grant and renewal of licences in the prescribed **Form-VI**.

#### **11. SURVEY AND MAINTENANCE OF RECORD OF JUNKYARDS.**

The Tehsil Officer (Regulations) shall cause the survey to be conducted at the beginning of each financial year to have complete list and particulars of all places, premises, markets or shops being used as junkyard in the local area of the Tehsil Municipal Administration and maintain a complete record.

#### **12. POWER OF ENTRY AND SEIZURE.**

The Tehsil Officer (Regulations) or any inspector, authorized by the Tehsil Municipal Administration in writing in this behalf, may at any time enter into any place, premises, market or shop being used as junkyard within the jurisdiction of the Tehsil Municipal Administration and, in case, of serious threat to the public health, safety or danger to the life, may seal the premises.

#### **13. CANCELLATION OF LICENCE.**

The Tehsil Municipal Administration may cancel the licence in case of violation of any provision of these bye-laws by the licensee. Before cancellation of licence, the licensee shall be informed in writing. No licence shall be cancelled without affording an opportunity of hearing to the licensee.

#### **14. PUBLIC AWARENESS.**

The Tehsil Municipal Administration will make arrangements of public awareness through posters, notice boards, newspapers, and electronic media regarding the enforcement of these bye-laws and the responsibilities of the junkyard owners.

#### **15. APPEALS.**

Any person aggrieved by an order passed under these bye-laws may file appeal under section 190 of the Ordinance to the Appellate Authority as prescribed under the Punjab Local Government (Appeal) Rules, 2002.

#### **16. PENALTIES:**

In addition to any other action as provided in these bye laws, the person doing an act without licence or permission shall be proceeded against under sections. 141 and 143 read with the Fourth Schedule and Eighth Schedule of the ordinance, for imposition of punishment or fine thereon.

**(Muhammad Abid Khan Wazir)**  
Administrator  
Tehsil Municipal Administration  
Attock

**FORM-I**  
[See bye-law 4(2)]

To

The Tehsil Officer (Regulations),  
Tehsil Municipal Administration,  
Attock

Subject: - **APPLICATION FOR GRANT OF LICENCE FOR THE TRADE IN JUNK**

Sir,

I intend to carry on the trade in junk at \_\_\_\_\_.

2. I may kindly be permitted and granted a licence for carrying on the said trade for one year ending 30<sup>th</sup> June (year).
3. I under-take to abide by all the rules and bye-laws applicable to the subject matter, as directed and conveyed by the Tehsil Municipal Administration from time to time.
4. After the expiry of the licence period, I will myself apply for renewal of the licence.

Applicant's signature \_\_\_\_\_

Applicant's Name \_\_\_\_\_

Father's / Husband's Name \_\_\_\_\_

CN.I.C NO. \_\_\_\_\_

Residential Address \_\_\_\_\_

Contact No. \_\_\_\_\_

Description of premises \_\_\_\_\_

Contact No. \_\_\_\_\_

The following documents are enclosed:

- (a) Copy of CNIC of the applicant;
- (b) Description of the premises;
- (c) Title of the property;
- (d) Tenancy Agreement, if any; and
- (e) Receipt/Challan Form regarding payment of licence fee.



**FORM-II**  
(See bye-law 4(4))

**TEHSIL MUNICIPAL ADMINISTRATION**  
**ATTOCK**

From

The Tehsil Officer (Municipal Regulations),  
Tehsil Municipal Administration,  
Attock.

To

(Name) \_\_\_\_\_  
Address \_\_\_\_\_

**SUBJECT: - LICENCE FOR CARRYING ON TRADE IN JUNK**

With reference to your application dated \_\_\_\_\_ for grant of licence, you are hereby granted a licence for carrying on the trade in junk at \_\_\_\_\_ as requested.

2. During the term of licence you will abide by all prescribed terms and conditions and bye-laws on the subject matter and as may be directed or conveyed by the T.M.A from time to time.

The licence is granted to you as per following particulars:-

Name \_\_\_\_\_  
Father's /Husband's Name \_\_\_\_\_  
CN.I.C No. \_\_\_\_\_  
Trade \_\_\_\_\_  
Term of licence 1<sup>st</sup> July 20\_\_\_\_ to 30<sup>th</sup> June, 20\_\_\_\_  
Licence fee paid \_\_\_\_\_  
Address \_\_\_\_\_  
Description of the premises \_\_\_\_\_

**Tehsil Officer (Regulations)**  
Tehsil Municipal Administration  
Attock

**(to be printed on the back of licence)**

**GENERAL CONDITIONS OF LICENCE**

(Bye-law 7)

The licensee shall:

- (1) Observe the prescribed terms and conditions under these bye-laws.
- (2) Keep the licence at the licensed premises and the Licence No./Registration No. shall be displayed at a conspicuous place in the premises, and on demand shall produce it for inspection;
- (3) Not in any case use or allow be used licensed premises for any other purpose other than the one for which licence has been issued;
- (4) Keep an inspection register on the premises in which all inspections made by inspection authorities shall be recorded;
- (5) Get his licence renewed in the month of July each year on payment of prescribed fee; and
- (6) Intimate the Tehsil officer (Regulations) on closing of the junkyard or any change in the premises/location.

**Responsibilities of Licensee**

(Bye-law 8)

The licensee shall ensure that:

- (1) The junk is kept under a proper covering or shed;
- (2) Premises is kept clean, ventilated, well-lit, well drained and junk appropriately stacked;
- (3) The size of stacks should not obstruct inspection of junkyard around the year;
- (4) As far as possible, junkyard shall have pedestrian passages between stacks to facilitate inspection.
- (5) all junk is kept empty and turned upside down to prevent water retention.
- (6) Water from coverings and junk kept outdoor is drained immediately after rain.
- (7) All depressions in junkyard are filled to prevent water pooling;
- (8) Timely preventive measures are taken and, where necessary, larviciding and fumigation is carried out during mosquito breeding seasons; and
- (9) All junk is kept dried around the year.

**FORM-III**  
[See bye-law 4(4)]

**Tehsil Municipal Administration  
Attock**

No. \_\_\_\_\_, Dated \_\_\_\_\_

To

(Name) \_\_\_\_\_

Address \_\_\_\_\_

**Subject: - REJECTION OF APPLICATION FOR GRANT OF LICENCE**

Reference your application, dated \_\_\_\_\_ for grant of licence for carrying on the trade in Junk at \_\_\_\_\_ in the jurisdiction of Tehsil/Municipal Administration.

2. It is intimated that your application for grant of licence has been rejected on the following grounds:

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

**Tehsil Officer (Regulations)**  
Tehsil Municipal Administration  
Attock

**FORM-IV**  
[SEE BYE-LAW 6]

**TEHSIL MUNICIPAL ADMINISTRATION**  
**ATTOCK**

Notice No. \_\_\_\_\_, Dated \_\_\_\_\_

To

(Name) \_\_\_\_\_

Address \_\_\_\_\_

**Subject: - NOTICE FOR UNLICENCED TRADE IN JUNK**

It has been noticed that you are carrying on the trade in junk at \_\_\_\_\_ in the jurisdiction of Tehsil Municipal Administration Attock without obtaining a licence regulating such trade.

2. You are directed to immediately apply for obtaining the licence in this behalf from the Tehsil Municipal Administration. In case, you fail to obtain the licence within a period of one month, the junkyard/place/market/shop whereon you are undertaking the above trade would be sealed and the expenditure incurred thereon will be borne by you. If you default in payment of such expenditures, it will be recovered as arrears of land revenue.

**Tehsil Officer (Regulations)**  
Tehsil Municipal Administration  
Attock

**FORM-V**

(See bye-law 9)

**Record of Inspection of Licences and Premises and Renewal of Licences,**

**Tehsil Municipal Administration Attock**

Sr #	Name & Designation of the Inspecting Officer	Date & Time of Inspection	Name & address of the person whose premises is inspected	Licensed or unlicensed Licence No. in case of licenced premises	Renewed or not renewed	Findings and recommendations of the inspecting officer with signatures and stamp	Action taken against the defaulters

**FORM-VI**  
(See bye-law 10)

**Record of Applications for Grant / Renewal of Licences**

**Tehsil Municipal Administration Attock**

1	Name of the Applicant	
2	Father's / Husband's Name	
3	CNIC No	
4	Place of Trade	
5	Total area of junkyard/place/market/shop	
6	Date of application for grant/renewal of licence	
7	Licence No. date of issue	
8	Date of rejection of application	
9	No. & Date of notice in case of the person carrying on unlicensed trade	
10	Date of receipt of appeal	
11	Proceedings & decision	
12	Status of implementation of decision	
13	No. & Date of the recovery notice if it is to be recovered as arrears of land revenue	
14	Reply with date submitted by the licensee	
15	Communication of the decision of Tehsil Municipal Administration with date	
16	Recovery status	
17	Remarks, if any	