



**[NAME OF LOCAL GOVERNMENT] REGULATION OF
JUNKYARDS (MODEL) BYE-LAWS, 2017**

LOCAL GOVERNMENT & COMMUNITY DEVELOPMENT DEPARTMENT

**[NAME OF LOCAL GOVERNMENT] REGULATION OF JUNKYARDS
BYE-LAWS, 2017**

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[NAME OF LOCAL GOVERNMENT] (REGULATION OF JUNKYARDS)
BYE-LAWS, 2017

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 [Name of Local Government] (Regulation of Junkyards) Bye-laws, 2017;

AND WHEREAS under Section 145 read with Part-II of the Seventh Schedule of the Punjab Local Government Act 2013, the Local Government 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, the **[Name of Local Government]** through resolution No.....datedhas approved the following bye-laws which are hereby notified.

CHIEF OFFICER
[NAME OF LOCAL GOVERNMENT]
DISTRICT _____

1. SHORT TITLE, EXTENT AND COMMENCEMENT.-

- (1) These Bye-laws shall be called “[Name of Local Government] (Regulation of Junkyards) Bye-laws, 2017”.
- (2) These shall extend to the whole of area of the **[Name of Local Government]**.
- (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) **“Act”** means the Punjab Local Government Act, 2013 (*XVIII of 2013*);
- (b) **“Chief Officer”** means the Chief Officer of the Metropolitan Corporation, a Municipal Corporation, a District Council or a Municipal Committee;
- (c) **‘Government’** means Government of the Punjab;
- (d) **‘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.
- (e) **“Junkyard”** means a place of business which is established, maintained, operated or used for trading, storing, keeping, buying or selling junk;
- (f) **“Licence”** means permission to carry on a trade in junk within a local area of the Local Government under such terms and conditions prescribed under these bye-laws;
- (g) **‘Local Area’** means the area of territorial jurisdiction of [Name Local Government];
- (h) **“Local Government”** means the Metropolitan Corporation, a Municipal Corporation, a District Council or a Municipal Committee established under the Act; and
- (i) **“Trade”** means a business of storing, keeping, buying or selling junk.

3. GENERAL PROCEDURE OF LICENSING

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

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 Local Government, he shall apply to the District/Municipal Officer (Municipal 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 District/Municipal Officer (Municipal Regulations) shall send the application for licence to concerned Inspector who shall inspect the junkyard and send his report within seven days to District/Municipal Officer (Municipal Regulations).

(4) The District/Municipal Officer (Municipal 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 30th 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 District/Municipal Officer (Municipal 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 Local Government under Section 115 of the Act and determined in accordance with the procedure laid down in the Punjab Local Governments (Taxation) Rules 2016.

(2) The prescribed fee shall be deposited in the local fund of Local Government.

6. NOTICE TO PERSON CARRYING ON UNLICENSED 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 Local Government to do so. In case of non-compliance, the premises shall be sealed.

7. GENERAL CONDITIONS FOR LICENCE.-

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 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 District/Municipal Officer (Municipal Regulations) on closing of the junkyard or any change in the premises/location.

8. RESPONSIBILITIES OF THE LICENSEE.-

The licensee shall ensure that:

- (j) 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 LICENSED PREMISES AND RENEWAL OF LICENCE.-

(1) The District/Municipal Officer (Municipal Regulations) or any Inspector designated as such by the Local Government 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 District/Municipal Officer (Municipal Regulations) 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 District/Municipal Officer (Municipal Regulations) shall maintain the record of applications for grant and renewal of licences in the prescribed **Form-VI**.

11. SURVEY AND MAINTENANCE OF RECORD OF JUNKYARDS.-

The District/Municipal Officer (Municipal 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 Local Government and maintain a complete record.

12. POWER OF ENTRY AND SEIZURE.-

The District/Municipal Officer (Municipal Regulations) or any Inspector, authorized by the Local Government 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 Local Government 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 Local Government 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 Local Government 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 143 of the Act to the Appellate Authority as prescribed under the Punjab Local Governments (Appeal) Rules, 2017.

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 132 and 134 read with the Fourth Schedule and Fifth Schedule of the Act, for imposition of punishment or fine thereon.

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

To

The District/Municipal Officer (Municipal Regulations),
[Name Local Government],

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 30th June (Year).

3. I undertake to abide by all the rules and bye-laws applicable to the subject matter, as directed and conveyed by the Local Government 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)]

[Name Local Government]

From

The District/Municipal Officer (Municipal Regulations),
[Name Local Government],

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 Local Government 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 1st July, 20---- to 30th June, 20----
Licence Fee Paid _____
Address _____
Description of the premises _____

District/Municipal Officer (Municipal Regulations)
[Name Local Government]

(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 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 District/Municipal Officer (Municipal Regulations) on closing of the junkyard or any change in the premises/location.

Responsibilities of Licensee

(Bye-law 8)

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.

FORM-III

[See bye-law 4(4)]

[Name Local Government]

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 [Name Local Government].

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

(i) _____

(ii) _____

(iii) _____

District/Municipal Officer (Municipal Regulations)
[Name Local Government]

FORM-IV
(See bye-law 6)

[Name Local Government]

Notice No. _____, Dated _____

To

(Name) _____

Address _____

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

It has been noticed that you are carrying on the trade in Junk at _____ in the jurisdiction of [Name Local Government] without obtaining a licence regulating such trade.

2. You are directed to immediately apply for obtaining the licence in this behalf from the Local Government. 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.

District/Municipal Officer (Municipal Regulations)
[Name Local Government]

FORM-VI
(See bye-law 10)

Record of applications for grant /renewal of licences

[Name Local Government]

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