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**GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT**

**NOTIFICATION
(27 of 2017)**

08 February 2017

The following notification No. SOR(LG)38-18/2016, dated 07.02.2017, issued under section 144 of the Punjab Local Government Act 2013 (XVIII of 2013) for the Punjab Local Governments (Appeal) Rules 2017 is published for general information:

DR SYED ABUL HASSAN NAJMEE
Secretary
Government of the Punjab
Law and Parliamentary Affairs
Department

LG (Appeal) Rules 2017 - 12.1.2017

**GOVERNMENT OF THE PUNJAB
LOCAL GOVERNMENT & COMMUNITY
DEVELOPMENT DEPARTMENT**

February 07, 2017

NOTIFICATION

No.SOR(LG)38-19/2016 .- In exercise of the powers conferred under section 144 of the Punjab Local Government Act 2013 (XVIII of 2013) and after previous publication, Governor of the Punjab is pleased to make the following rules:

1. Short title, commencement and application.- (1) These rules may be cited as the Punjab Local Governments (Appeal) Rules, 2017.

(2) They shall come into force at once.

(3) These rules shall apply to all the local governments except District Education Authorities and District Health Authorities.

2. Definitions.- (1) In these rules:

- (a) "Act" means the Punjab Local Government Act 2013 (XVIII of 2013);
- (b) "appellate authority" means the authority specified in column 3 of Schedule-I or, as the case may be, in column 3 of Schedule-II;
- (c) "authority" means the authority specified in column 2 of Schedule-I and column 2 of Schedule-II;
- (d) "Government" means Government of the Punjab;
- (e) "Register of Appeals" means the register prescribed in Schedule-III;
- (f) "rules" means the Punjab Local Governments (Appeal) Rules 2017; and
- (g) "Schedule" means the Schedules appended to these rules;

(2) An expression used but not defined in these rules shall have the same meanings as assigned to it in the Act.

3. Saving.- Nothing in these rules shall apply to the matters arising from the terms and conditions of service of the employees of the local governments.

4. Appellate authority.- (1) Except as otherwise provided in the Act or the rules framed thereunder, an appeal from an order of the authority shall lie to the appellate authority within thirty days from the receipt of the order of the authority.

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(2) An appeal may be entertained after the prescribed period of limitation, if the appellate authority is satisfied that the appellant had sufficient cause for not preferring the appeal within such period.

5. Procedure.- (1) An appeal shall be preferred in the form of a petition filed or sent through registered post to the appellate authority or to the officer authorized by the appellate authority.

(2) The appeal may be filed by the appellant either personally or through his authorized agent.

(3) Every petition of appeal shall:

- (a) be in writing;
- (b) set forth concisely the grounds of objections;
- (c) contain all material statements and arguments relied upon by the appellant;
- (d) have no disrespectful or improper language;
- (e) be signed and verified by the appellant; and
- (f) be accompanied by a certified copy of the order appealed against.

(4) Every appeal shall be entered in the Register of Appeals.

(5) No order, revising or modifying an order adversely affecting any person under these rules, shall be passed without giving such person a reasonable opportunity of being heard.

(6) The appellate authority, before deciding the appeal, may call for the record of any case or proceedings under the Act in which a authority within its jurisdiction has passed an order for purposes of satisfying itself as to the correctness, legality, or propriety of such order.

(7) The appellate authority shall dispose of the appeal promptly but not later than ninety days through a speaking order.

(8) The appellate authority may, if the circumstances so justify, issue an interim order to stay the execution proceedings.

(9) The decision of the appeal shall be communicated to the appellant and the authority.

(10) The decision of the appeal shall be given effect immediately on its receipt.

6. Transfer of appeals.- The Government, on its own motion or on the application of a party, transfer in public interest an appeal from an appellate authority to any other officer of higher or equivalent status as that of the appellate authority and such other person shall

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exercise all the powers of the appellate authority for purposes of the appeal.

7. **Disposal of pending appeals.**— All appeals pending on the commencement of these rules, under the Punjab Local Government Ordinance, 2001 and the Punjab Local Governments (Appeal) Rules, 2002, shall be heard and decided by the appellate authority.

8. **Repeal.**— The Punjab Local Governments (Appeal) Rules, 2002 is hereby repealed.

SCHEDULE-I

[see rule 2(b) and rule 4]

Sr.No.	AUTHORITY MAKING THE ORDER UNDER APPEAL	APPELLATE AUTHORITY
(1)	(2)	(3)
1.	Mayor Metropolitan Corporation or Municipal Corporation	Divisional Commissioner concerned
2.	Chairman District Council	Divisional Commissioner concerned
3.	Chairman Municipal Committee	Head of District Administration concerned
4.	Chairman Union Council	Assistant Commissioner concerned
5.	Chief Officer of a local government	Mayor or Chairman of local government concerned
6.	Head of Municipal Offices	Chief Officer concerned

SCHEDULE-II

[see rule 2(b) and rule 7]

Sr.No	AUTHORITY WITH WHOM THE APPEALS WERE PENDING	NEW APPELLATE AUTHORITY
(1)	(2)	(3)
1.	Administrative Secretaries	Administrative Secretary concerned.
2.	District Coordination Officer	Head of District Administration concerned.