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GOVERNMENT OF THE PUNJAB  
LOCAL GOVERNMENT & COMMUNITY  
DEVELOPMENT DEPARTMENT

Dated Lahore, the March 04, 2016

## NOTIFICATION

**No.SOR(LG)38-24/2015.** In exercise of the powers conferred under section 144 of the Punjab Local Government Act 2013 (XVIII of 2013), after previous publication, Governor of the Punjab is pleased to make the following rules:

**1. Short title and commencement.-** (1) These rules may be cited as the Sardar Kaura Khan (Management, Supervision and Protection of Land) Rules 2016.

(2) They shall come into force on such date as notified by the Government.

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

- (a) "Act" means the Punjab Local Government Act 2013 (XVIII of 2013);
- (b) "committee" means the management committee constituted under rule 3 of the rules;
- (c) "Form" means the form appended to the rules;
- (d) "land" means the land situated in Tehsils Jatoi, Alipur, Jampur and Rajanpur, donated by Sardar Kaura Khan, as a trust, to District Council, Muzaffargarh in 1894;
- (e) "Land Superintendent" means a person, having knowledge about land management, appointed or posted by the Chairman District Council, Muzaffargarh, from the administrative set up of the District Council;
- (f) "lot" means a specific compact size of piece of land already notified by the District Council; and
- (g) "rules" means the Sardar Kaura Khan (Management, Supervision and Protection of Land) Rules 2016.

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

**3. Management of land.-** (1) There shall be a management committee, for better management, supervision and protection of land.

(2) The committee shall consist of:

- |   |             |
|---|-------------|
| (i) Commissioner, Dera Ghazi Khan Division;   | Chairperson |
| (ii) Chairman District Council, Muzaffargarh; | Member      |

(iii)	Head of District Administration, Muzaffargarh;	Member
(iv)	Head of District Administration, Rajanpur;	Member
(v)	District Police Officer, Muzaffargarh;	Member
(vi)	District Police Officer, Rajanpur;	Member
(vii)	An advocate to be nominated by President District Bar Association Muzaffargarh;	Member
(viii)	Principal, Sardar Kaura Khan School, Muzaffargarh;	Member
(ix)	Representative of the Government, Local Government and Community Development Department not below the rank of Deputy Secretary;	Member
(x)	Representative of 'Akhuwat' ;	Member
(xi)	Chief Officer, District Council, Muzaffargarh; and	Member/ Secretary
(xii)	any other member co-opted by the Chairperson.	Member

**4. Responsibilities of the committee.-** (1) The committee shall be responsible to:

- (a) ensure better management, supervision and be protection of the land;
- (b) ensure maximum income from the land;
- (c) supervise auction of lots, recovery of dues and maintenance of proper record of income from the land;
- (d) arrange re-assessment of lease rates before auction of lots;
- (e) administer the land for the maximum benefit of the trust;
- (f) ensure that income from the land is particularly used in education and health sectors;
- (g) ensure proper maintenance of accounts of income and expenditure;
- (h) prevent impairment of utility or value of land;
- (i) get fresh demarcation and *Jadeed Lot Bandi* wherever and whenever necessary; and
- (j) prevent illegal occupation and take effective measures to retrieve the land from illegal occupants, if any, and recover rent as per assessment made by the Assistant Commissioner concerned.

(2) The committee shall meet at least once a month to review the progress.

(3) The committee shall submit annual progress report to the Government in Local Government and Community Development Department and District Council, Muzaffargarh.

(4) The committee, after the enforcement of the rules, shall carry out a survey of the land and prepare an inventory of lots and compare it with the revenue record annually and shall take necessary remedial measures in case of any inconsistency.

**5. Responsibilities of Land Superintendent.-** (1) The Land Superintendent shall be responsible to:

- (a) take care of the land as ordinary prudence requires in respect of his own land of like nature and in similar circumstances;

- (b) prevent the use of land for any purpose or in any manner other than that specified by the committee;
- (c) keep all title deeds and other documents, relating to the land, with duplicate copies thereof in safe custody;
- (d) protect the boundaries of land as demarcated;
- (e) ensure the maintenance of record;
- (f) check encroachments or wrongful occupation of land;
- (g) keep informed the committee, if encroachment or wrongful occupation occurs on the land, for taking necessary and appropriate measures for removal thereof; and
- (h) take measures to prevent the land from any nuisance, damage or misuse.

(2) The Land Superintendent shall be personally responsible for any loss, damage, destruction or deterioration caused to the land if such loss, damage, destruction or deterioration occurs as a result of any omission, commission or negligence in the discharge of his responsibilities.

**6. Maintenance of land.-** (1) The Land Superintendent shall, if any difficulty arises in the maintenance of land, immediately report the matter to the committee.

(2) The Chairperson of the committee shall, within seven days of the receipt of intimation mentioned under sub-rule (1), call the meeting of the committee and place the matter before it for decision.

(3) The Land Superintendent shall maintain the following registers in the prescribed Form:

- (a) land register (Form-I);
- (b) lease, demand and collection register (Form-II);
- (c) arrear, demand and collection register (Form-III);
- (d) register of unauthorized occupants of land (Form-IV);
- (e) register of trees (Form-V); and
- (f) any other register required by the Government or the committee.

**7. Verification and stock taking of land.-** (1) The Land Superintendent, in the month of July each year, shall:

- (a) take stock of the land under his charge;
- (b) verify the land under his charge;
- (c) submit a report to the committee showing the result of such stock taking and verification including:
  - (i) particulars of allottees;
  - (ii) losses and wastage, if any;
  - (iii) cases of defalcation of accounts or misappropriation, if any; and
  - (iv) proposal for development and improvement, if any.

(2) The committee may, if required, verify the stock taking as mentioned under sub-rule (1) or depute an officer not below the rank of BS-18 to:

- (a) verify the report of Land Superintendent; and
- (b) forward the report to the committee for onward submission to the District Council.

**8. Procedure for auction of land.-** (1) The land shall be auctioned on such terms and conditions as approved by the committee.

(2) The following procedure shall be adopted for auction as approved under sub-rule (1):

- (a) the auction shall be made only through open competition;
- (b) a public notice shall:
  - (i) be given, before auction and besides local means, in minimum two national daily newspapers and at least 15 days before the date fixed for the auction;
  - (ii) contain the date, time and place of auction specifying terms and conditions, including the period of lease, for participation in the auction process; and
  - (iii) clearly reflect the lot number of the land and name of mouza where the lot is situated and any other relevant information;
- (c) the auction price of a lot shall not be less than the reserve price;
- (d) every bidder shall deposit one tenth of the reserve price as earnest money in the fund of the committee;
- (e) the committee shall retain the earnest money of the successful bidder as security for successful completion of the lease period;
- (f) the auction committee shall, after completing the auction proceedings, forward its recommendations to the committee for confirmation or rejection of the auction;
- (g) the committee may confirm or from the reject the auction proceedings within fifteen days from the receipt of the case by the auction committee;
- (h) the land shall be re-auctioned in accordance with this rule, if auction proceedings are rejected by the committee;
- (i) the earnest money shall be forfeited and land shall be put for re-auction, if successful bidder fails to make payment of dues within the period stipulated in the acceptance letter;
- (j) the successful bidder shall, after confirmation of the auction, deposit the lease amount of the first year within ten days of the communication of acceptance of his bid and execute a lease deed with the committee;
- (k) the committee shall, within ten days of the deposit of the lease amount for the first year and execution of the lease deed, hand over the possession of the land to the lessee:

Provided that the lessee shall, for the subsequent years of lease, pay the lease amount in advance in the month of January with ten percent annual increase in the rate of existing lease amount and other charges, if any;
- (l) in case of default in payment of advance annual lease amount in the month of January:
  - (i) a penalty, at the rate of fifteen percent per annum, shall be charged in addition to the lease amount; and
  - (ii) the lease deed shall automatically stand cancelled in case of default of payment of the lease amount within ninety days of the first day of January of that year for which the lease amount became due;
- (m) the maximum period of lease of land under this rule shall be five years;
- (n) the committee shall complete the process of re-auction of the land at least three months prior to the expiry of the maximum period of lease;

- (o) the committee shall, if the ex-lessee fails to remove the structure, machinery or equipment from the land within the stipulated time, remove the same and hand over the possession of the vacant land to the successful bidder and recover the cost of removal of the structure, machinery or equipment from the ex-lessee as arrears of land revenue;
- (p) the lease holding rights in the event of death of the lessee during the currency of lease shall devolve on his legal heirs; and
- (q) a lease shall, under this rule, be subject to all rights of way, water and easement, if any subsisting thereon.

**9. Duties of the lessee.-** The lessee shall not:

- (a) cut or remove any tree from the land without payment of price thereof as estimated by the committee;
- (b) remove sand, earth or any minerals from the land; and
- (c) use the land or any part thereof for any purpose other than the one for which the lease was granted.

**10. Approval of auction.-** The auction of the land shall be subject to the approval of the committee.

**11. Assessment of lease money.-** The reserve price shall be assessed by the Assistant Commissioner concerned and approved by the committee.

**12. Auction committee.-** (1) The committee shall constitute an auction committee.

(2) The recommendations of auction committee shall be subject to the approval of committee.

**13. Maintenance of bank account and expenditure.-** (1) A separate bank account, as approved by the committee, shall be maintained for keeping the income or earning received from the land.

(2) The bank account shall be operated by the officer or officers nominated by the committee.

(3) The officer, responsible for the operation of the account, shall maintain the accounts of income and expenditure of the land in the manner prescribed under the rules.

(4) The income from the land shall be spent on schemes or items of education and health sectors, approved by the committee.

(5) The monthly and annual accounts of receipts and expenditure shall be submitted to the committee for consideration.

**14. Audit.-** (1) The internal audit of the income and expenditure from the land shall be conducted by Punjab Local Fund Audit Department in the manner to be determined by the Provincial Director, Local Fund Audit.

(2) The committee may appoint a chartered firm for audit of the accounts of the land.

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

**FORM-I**  
**LAND REGISTER**

[see Rule 6(3) (a)]

Sr. No.	Description and Location of the land	Area and other particulars	If leased, the name and address of the lessee	Nature of Use	Expenditure	Income	Remarks







**FORM IV**  
**DETAIL OF UN-AUTHORIZED OCCUPANTS OF LAND**

[See Rule 6(3) (d)]

Sr. No.	Description and Location of Land	Total area of the Land	Name & Address of the Unauthorized Occupant	Nature of use	Litigation, if any, with present position

