

S.R.O. 63(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Accounts) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

CHAPTER- I

INTRODUCTORY

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Accounts) Rules, 2021.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context:—

- (a) **“Accounts Officer”** means the head of Accounts Office of a Local Government;
- (b) **“Accounts Committee”** means the Accounts Committee constituted under these rules;
- (c) **“Act”** means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);
- (d) **“Audit Authority”** means the respective audit authority specified under section 86 of the Act;
- (e) **“Audit report”** means the Report sent to the Mayor or concerned Chairman in terms of section 86 of the Act;
- (f) **“Chairman”** means the Chairman of the Accounts Committee chosen by the members of accounts committee of a local government;
- (g) **“Collecting Officer”** means the officer, who is responsible for estimation and realization of receipts from the area within his jurisdiction and designated as such by the concerned Principal Accounting Officer;

- (h) **“Departmental Accounts Officer”** means the respective Departmental Accounts Officer prescribed under rule 17;
- (i) **“Drawing and Disbursing Officer”** means the officer, who prepares estimates of expenditure and actually incurs expenditure in respect of the office or offices of which he is the Drawing and Disbursing Officer and designated as such by the concerned Principal Accounting Officer;
- (j) **“Form”** means a form appended to these rules;
- (k) **“Local Accounts Officer”** means the head of an office of Accounts responsible for preparing the accounts of a local government and includes,—
 - (i) Metropolitan Officer (Finance) in respect of the Metropolitan Corporation; and
 - (ii) the Union Council Secretary responsible for finance in respect of a Union Council;
- (l) **“Head of Office”** means,—
 - (i) Chief Officer in case of the Metropolitan Corporation; and
 - (ii) Secretary, Union Council in the case of a Union Council;
- (m) **“Manual”** means the Local Government Accounts Manual notified by the Auditor-General of Pakistan, as amended from time to time;
- (n) **“Member”** means a member of the Accounts Committee elected by the respective Local Government;
- (o) **“NAM”** means the New Accounting Model notified by the Auditor-General of Pakistan, as amended from time to time;
- (p) **“Public Accounts Committee”** means the Public Accounts Committee of the National Assembly of Pakistan; and
- (q) **“Principal Accounting Officer”** means Chief Officer in case of the Metropolitan Corporation and the Chairman concerned in case of a Union Council.

(2) Words and expressions used but not defined in these rules shall have the same meaning as are assigned to them in the Act.

CHAPTER- II

ACCOUNTS AND FORMS

3. **Maintenance of Accounts.**—(1) All transactions of a Local Government involving money out of the Local Fund shall be brought to account.

(2) Subject to provisions of these rules, the accounts of the receipts and expenditures of local government shall be kept in such form and in accordance with such principles and methods as the Auditor-General of Pakistan has prescribed in the Manual or NAM.

4. **Responsibility of the Principal Accounting Officer.**—(1) All accounts relating to the Local Fund shall be compiled in the offices of the respective Local Governments under the supervision of the Principal Accounting Officer or an officer authorized by him for this purpose.

(2) The Principal Accounting Officer shall be responsible for the financial regularity of all transactions relating to the Local Fund, and for the maintenance of the accounts correctly and in accordance with the provisions of the Act and the rules made thereunder.

CHAPTER- III

MONITORING AND IMPLEMENTATION

5. **Monitoring and Implementation.**—The Accounts Committee concerned shall monitor the implementation of these rules and shall submit its reports about the implementation of the rules to the concerned Local Government for review.

6. **Display of Annual Accounts.**—All the statements of monthly and annual accounts and such other necessary statements shall be placed and displayed at a conspicuous place for public inspection, together with a public notice for inviting objections containing specific date and time for hearing of objections.

7. **Hearing of objections.**—The respective Accounts Committee concerned shall hold hearing of the public objections and take any appropriate action, if so required.

8. **Findings of Accounts Committee to be sent to the Local Government.**—After hearing the objections from the public on the accounts of a Local Government, the Accounts Committee concerned shall send its findings along with annual accounts to the respective Local Government which shall be discussed at its next meeting.

9. **Recommendations to be prepared by the concerned Local Government.**—The concerned Local Government shall discuss and review the annual accounts and comments of the Accounts Committee in its meeting and prepare its recommendations.

10. **Recommendations to be sent to the audit authorities.**—The annual accounts or statements shall be sent to the audit authorities concerned along with recommendations of the concerned Local Government.

11. **Training of Personnel.**—The Local Governments shall make arrangements to impart training and refresher courses to their functionaries including members of the Accounts Committee in the matters relating to budgeting, accounts and finance.

CHAPTER- IV

CONSTITUTION, COMPOSITION, AND FUNCTIONING OF ACCOUNTS COMMITTEE

12. **Constitution and Composition of Accounts Committee.**—(1) Following Accounts Committees shall be constituted for review of the audit and accounts reports, namely:—

- (a) Metropolitan Accounts Committee for the Metropolitan Corporation;
and
 - (b) Union Accounts Committee for each Union Council.
- (2) Each Accounts Committee shall consist of,—
- (a) a Chairman and six members to be elected by the respective Local Government;

Provided that the Local Government may fix such number of members as it deems fit;

Provided further that at least one member shall be elected from amongst the special interest seats, that is, women, peasants, workers and minorities.

- (b) the Government, the Islamabad Capital Territory Administration, and the Audit Authority of the respective Local Government may nominate their representatives to attend the meetings of the Accounts Committee as observers and also to assist the committee on technical issues. However, they shall not be entitled to vote.

(3) The members of the Accounts Committee shall be elected by the concerned Local Government through secret ballot.

(4) The tenure of the Accounts Committee shall not exceed the tenure of the respective Local Government.

13. Appointment of Chairmen, Accounts Committees.—(1) The members of the respective Accounts Committee shall elect a Chairman from amongst themselves in the first meeting of the Accounts Committee which shall be held within seven days of the notification of names of members of Accounts Committee elected by the concerned Local Government.

(2) The first meeting of the Accounts Committee shall be convened within seven days from the date of notifications of members of the Accounts Committee, issued under rule 16(8), by the Chief Officer and Secretary Union Council in the case of the Metropolitan Accounts Committee and a Union Accounts Committee respectively and they shall record the minutes of that meeting. No other business shall be carried out in the first meeting.

(3) In its first meeting after the election of the Chairmen, the respective Accounts Committees shall, in order of precedence elect a panel of two presiding officers securing highest number of votes amongst its members, who shall preside over the meetings of the Committees in the absence of their respective Chairmen.

14. Secretary of Accounts Committee.—(1) The Chief Officer in case of Metropolitan Accounts Committee and Secretary of a Union Council, in case of Union Council Committee, shall act as Secretary of the respective Accounts Committee.

(2) The Secretary of the respective Accounts Committee shall keep all records of the meetings of the Committees. They shall keep the minutes book and agenda of the respective Accounts Committee meetings.

15. Recording of Minutes of the Meetings of Accounts Committees.—(1) The minutes of the meeting of the concerned Accounts Committee shall be recorded and maintained by its Secretary.

(2) A copy of the minutes of the meeting of the Accounts Committee shall be sent by the Secretary of the respective Accounts Committee within one week of the meeting of the Accounts Committee to the,—

- (a) Secretary, Local Government Commission;
- (b) Mayor of the Metropolitan Corporation (in the case of the Metropolitan Accounts Committee);
- (c) Deputy Commissioner of the Islamabad Capital Territory;
- (d) all Chairmen of Union Councils in the case of Union Accounts Committees;
- (e) audit authority; and
- (f) all members of the Accounts Committee concerned.

16. Election of the members of Accounts Committee.—(1) Every Local Government shall elect members of Accounts Committee in pursuance of rule 12(3) within a period of thirty days from the date of its first meeting, or from the date of promulgation of these rules, whichever is later.

(2) The Mayor in the case of the Metropolitan Corporation and Chairman in the case of a Union Council, as the case may be, shall act as presiding officer for the election of members of the respective Accounts Committees. The proceedings of the meetings shall be recorded by a Deputy Mayor and Secretary, Union Council in the case of the Metropolitan Corporation and respective Union Council.

(3) Each member of the House shall cast a vote for election of members of the Accounts Committee through a secret ballot. The candidates securing highest votes in order of precedence, and equal to the number of members mentioned in rule 12(2) shall be notified as successful.

(4) For the following categories of candidates, ballot paper of different colour for each category of candidates, shall be issued by the Presiding Officer to each voter or member of the concerned Local Government, namely:—

- (a) General Seats;
- (b) Women;
- (c) Peasant;
- (d) Worker; and
- (e) Minority.

(5) The ballot paper shall be stamped on the back with the official mark and signed by the Presiding Officer.

(6) The number of the voter or member shall be listed by the Presiding Officer and shall also be written on the counterfoil of ballot paper by the Presiding Officer.

(7) The Presiding Officer shall take guidance and assistance with regard to other procedures of election from the Islamabad Capital Territory Local Government (Conduct of Elections) Rules, 2015.

(8) The Mayor or in his absence a Deputy Mayor in the case of the Metropolitan Corporation and Chairman in the case of the respective Union Council shall notify the result of the elections on the same day.

(9) In case of vacancy due to any reason whatsoever, the concerned Local Government shall elect the new member of the respective Accounts Committee within a month from the date of vacancy.

17. Responsibility of Officers.—(1) The Chief Officer of the Metropolitan Corporation shall act as Departmental Accounting Officer for his respective group of offices and be responsible to the Accounts Committee of the Metropolitan Corporation.

(2) The Secretary, Union Council shall act as Departmental Accounting Officer for his respective office and be responsible to the Union Accounts Committee.

18. Meetings of the Accounts Committees.—(1) The Accounts Committees shall meet once in a month on such date and time as may be fixed by their Chairmen and if required, the meetings can be held on weekly or daily basis.

(2) Agenda indicating the date, time and venue of a meeting shall be sent to all the members of the concerned Accounts Committee by the Secretary of the Committee at least three days in advance.

(3) At least one half of the total membership of the Accounts Committee, including its Chairman shall form the quorum for a meeting.

(4) The meeting of an Accounts Committee shall be presided over by the Chairman and in his absence by the member of the panel of presiding officers in order of precedence as prescribed under rule 13(3).

(5) All decisions shall be taken by the Accounts Committee by a majority of votes of the members present and voting:

Provided that in case of equal votes, the Chairman or the person presiding over the meeting shall cast the tie-breaking vote.

(6) A member of the Accounts Committee may tender his resignation to the Chief Officer of the Metropolitan Corporation or the Secretary, Union Council, as the case may be, who shall forward the same to the Deputy Mayor in the case of the Metropolitan Corporation and Chairman in the case of Union Council for placing the same in the very next meeting of the concerned Local Government. In case the resignation is not placed before the concerned Local Government by the Deputy Mayor or the Chairman, as the case may be, the resignation shall stand accepted from the date of the meeting in which it was to be placed for consideration.

19. **Functions and Responsibilities.**—(1) The Accounts Committees shall,—

- (a) review the audit and accounts reports of their respective Local Governments;
- (b) ensure that statements of monthly accounts, annual accounts, audit reports and accounts reports shall be displayed at conspicuous public places by their respective Local Governments for public inspection;
- (c) prepare a schedule indicating,—
 - (i) the date of publication of Audit and Accounts reports;
 - (ii) the last date for filing objections and suggestions by the general public;
 - (iii) the last date on which the objections and suggestions of the public shall be examined in the presence of petitioners, public representatives and Departmental Accounting Officers; and

- (iv) the date on which a report shall be submitted by it to the respective Council or to the Metropolitan Corporation on each observation or objection recorded in the audit or accounts reports along with view point of the public and its own opinion, for decision;
- (d) ensure the implementation of the decisions of the Local Government, on the Audit and Accounts Reports;
- (e) ensure the preparation of annotations of the audit and accounts reports by the concerned officers of the Local Government and its submission to the concerned authorities after observing prescribed formalities;
- (f) hold public hearings in which,—
 - (i) objections to statements of accounts shall be heard; and
 - (ii) internal and external audit reports shall be discussed for appropriate action;
- (g) summon any officer or official of Local Government or non-official concerning an audit objection or call for any record with a view to fixing responsibility on the delinquent;
- (h) ensure that the annotated reply of audit and accounts reports are prepared and sent to the concerned quarters by the Departmental Accounting Officers;
 - (i) issue directions to the various officers or officials of the Local Government concerned for disposal of audit objections within specified time and in case of failure to do so, recommend suitable action against defaulters to the concerned Local Government;
- (j) monitor the implementation of these rules in right earnest and shall submit their reports about the compliance thereof by the Local Governments concerned; and
- (k) have the explanation or comments of the concerned officer or official on the audit objection and after considering the viewpoint of the general public, the audit objection or observation regarding procedural lapses decided by the Accounts Committee and the remaining observations or objections along with explanation of the officer concerned, view point of general public and its own recommendations shall be forwarded to the Local Government concerned for consideration and further action.

(2) The concerned Local Government shall discuss and review the annual accounts and audit reports along with viewpoint of the general public and comments of Accounts Committee, in its meeting and,—

- (i) settle the objections, if any; or
- (ii) take such measures as are considered necessary for speedy disposal of audit objections and recovery of amount of loss caused to the Local Government concerned by its member or functionary or any other person charged with the administration of the affairs of a Local Government.

(3) The respective Accounts Committees shall prepare their annual reports and present them to the concerned Local Government. The copies of the annual reports shall also be sent to the Local Government Commission.

(4) If a member or the Chairman of an Accounts Committee, without a reasonable cause, fails to attend a duly convened meeting, he shall be liable to disciplinary action.

(5) The non-attendance of any member of the Accounts Committee shall not have any effect on proceedings and minutes of the Accounts Committee.

(6) The audit objections if not settled by the close of a financial year due to non-production of the relevant record, or non-preparation of its annotated reply, the matter shall be presented before the House concerned by the Principal Accounting Officer of the Local Government for taking suitable action against the concerned delinquents. The pending audit objections shall be discussed and recommendations made by the Local Government during the month of July of every year and a report sent to the Local Government Commission for further necessary action.

20. Liability of Accounts Committee with regard to Audit Objections.—(1) The Accounts Committee shall not drop any audit objections without ensuring the completion of record or until it is satisfied that such completion is not possible and that no financial loss is involved in it.

(2) In the case of violation of sub-rule (1), the proceedings of the Accounts Committee shall be reviewed by the concerned Local Government and declared null and void.

(3) In case the omission is repeated by the Accounts Committee, the concerned Local Government shall direct the Accounts Committee with specific reference to the decision taken by the Accounts Committee.

(4) In case the direction of the Local Government is not adhered to, it may dissolve the Accounts Committee and arrange its fresh elections.

21. **Recovery of losses.**—(1) If the Accounts Committee finds that the Mayor or Chairman, or official or officer of a Local Government is responsible for financial loss, misappropriation of funds or property belonging to a Local Government, the Accounts Committee after thorough investigation shall direct the person responsible to make good such loss within a period of one month.

(2) In case the direction of the Accounts Committee under sub-rule (1) is not complied with, the Accounts Committee shall refer the case to the concerned Local Government and such reference shall be disposed of by the concerned Local Government in the light of rule 10.

22. **Preparation of monthly and annual reports.**—The schedule of activities relating to the monthly and annual Accounts Reports shall be as under:—

- (a) the Metropolitan Corporation's Accounts Officers and Union Councils' Accountants shall compile the accounts of receipts and expenditure of their respective Local Governments or Administrations for the preceding month by the seventh day of each month;
- (b) the Principal Accounting Officers shall submit the compiled accounts to the Accounts Committees of their respective Local Governments, placed at conspicuous places for public inspection and copies may also be released to the press or media, if necessary;
- (c) on the closing of accounts at the end of each financial year, the Metropolitan Corporation Accounts Officers and Union Council's Accountants shall compile the accounts of receipts and expenditures of their respective Local Governments or Administrations and prepare statements of accounts for the preceding financial year before the fifteenth day of August each year; and
- (d) the Principal Accounting Officers shall submit the Statements of Accounts to the Accounts Committees of their respective Local Governments, placed at conspicuous places for public inspection and copies of such statements shall be released to the press or media, if necessary.

23. **Annual External Audit Reports.**—The schedule of activities regarding external audit reports shall be as follows,—

- (a) the Audit authority shall notify a schedule regarding conduct of audit in respect of Local Government or Administrations in the Corporation or at the Union Council level;
- (b) conduct and complete annual audit according to the notified schedule; and
- (c) the Mayor or Chairman concerned shall cause the audit report to be submitted to the respective Local Government which shall then refer it for examination to its Accounts Committee.

24. **Annual Performance Report of the Accounts Committee.**—The Annual Performance Report of the concerned Accounts Committees shall be prepared and presented before the Local Government concerned during the first quarter of the year. The Local Government shall deliberate on the report of the Accounts Committee and shall send the recommendations to the Mayor or Chairman as the case may be, for further action. A copy of the annual report along with recommendations of the Local Government shall be sent to the Local Government Commission.

25. **Supervision of the Accounts Committee.**—(1) The Local Government Commission shall supervise the functioning of Accounts Committees of Local Governments and may call for and examine the record of any proceedings before any Accounts Committee for the purpose of satisfying itself as to correctness, legality or propriety of any findings, recommendations or decision recorded or passed and as to the regularity of any proceedings of such Committee.

(2) On examining the record or proceedings under sub-rule (1) the Local Government Commission may direct the Accounts Committee, Local Government or any other authority including the audit authorities to make further probe into the matter, observation, objection or claim in order to set right the proceedings.

FORM 'A'

**ACTIVITIES FOR MONTHLY ACCOUNTS AND
INTERNAL AUDIT REPORTS**

Sr. No.	Activities	Date
(i)	The Metropolitan Corporation Accounts Officers and Union Council Accountants shall compile the accounts of Receipts and Expenditure of their respective Local Governments for the preceding month by the 7th of each calendar month.	

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- (ii) The Principal Accounting Officers shall submit the compiled accounts to the accounts committees of their respective Houses, the statement of accounts shall also be placed at conspicuous places for public inspection and copies of such statements shall also be released to the press or media by the 10th of each calendar month.
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- (iii) The Accounts Committees shall invite or receive objections on the accounts of their respective Local Governments by the 15th of each calendar month.
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- (iv) The Accounts Committees of the respective Local Governments shall hold public hearing on the objections and formulate their observations or recommendations by the 16th to 20th of each calendar month.
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- (v) The reports of the Accounts Committees shall be forwarded to the Local Government Commission and the concerned Local Governments for necessary action by the 25th of each calendar month.
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FORM 'B'

**ACTIVITIES FOR ANNUAL ACCOUNTS AND
INTERNAL AUDIT REPORTS**

Sr. No.	Activities	Date
(i)	On the closing of accounts at the end of each financial year, the Metropolitan Corporation Accounts Officers and Union Council Accountants shall compile the Accounts of receipt and expenditure of their respective local governments and prepare Statements of Accounts for the preceding financial year by the 31st of July of each year.	
(ii)	The Principal Accounting Officers shall submit the Statement of Accounts to the Accounts Committees of their respective Houses; the statement of Accounts shall be placed at conspicuous places for public inspection and copies of such statements shall be released to the press or media by the 15th of August of each year.	
(iii)	The Accounts Committees shall invite or receive objections on the annual accounts of their respective Local Governments by the 25th of August of each year.	
(iv)	The Accounts Committee shall hold public hearing on the objections and formulate their observations or recommendations by the 1st to 15th of September of each year.	

- (v) The report of the Accounts Committees shall be forwarded to the Local Government Commission and the concerned Local Governments for necessary action by the 1st of October of each year.

FORM 'C'

ACTIVITIES FOR ANNUAL AUDIT REPORTS

Sr. No.	Activities	Date
(i)	Audit Authority shall notify a Schedule regarding conduct of Annual Audit in respect of Local Government in the Islamabad Capital Territory.	At least 15 days before the date of commencement of Annual Audit.
(ii)	Conduct and completion of Annual Audit	according to the Notified Schedule
(iii)	Submission of Annual Audit Reports to the Chairmen of each Union Council	Immediately on completion of Audit
(iv)	Presentation of the Annual Audit Reports by the Mayor or Chairmen to their respective Local Governments	Within 1 month of receipt of the Annual Audit Report
(v)	Public hearings on the Annual Audit Reports by the respective accounts committee.	Within a fortnight after submissions of annual report by the Mayor or Chairmen to the Local Government.
(vi)	Submissions of the findings or recommendations of the accounts committees to the respective Local Government and the Islamabad Capital Territory Administration.	Within 1 month after submission of Annual Audit Report by the Mayor or Chairman to the concerned Local Government.

FORM 'D'

**DETAILS OF UNSETTLED AUDIT PARAS
AT THE CLOSE OF THE YEAR**

Sr. No.	Detail of loss	Amount of irregularities	persons involved if any
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Reference to the audit report	Recommendation of the Accounts Committee
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S.R.O. 64(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Contracts) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Contracts) Rules 2021.

(2) They shall come into force at once.

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

(a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);

(b) “Agreement” means any kind of undertaking express or implied, made between a local government and any other person for the purchase or supply of goods or materials, or for the acquisition, purchase or transfer by grant, gift, sale, mortgage, lease, exchange or otherwise, of any movable or immovable property or for the execution of any work or performance of any service;

(c) “Contract” means an agreement enforceable by law, under the Contract Act, 1872 (X of 1872); and

(d) “Contractor” means a person entering into a contract with the Mayor or the concerned Chairman, as the case may be, on behalf of the local government, and shall include a person submitting a tender.

(2) Words and expressions used herein but not defined in these rules shall have the same meanings as are assigned to them in the Act.

3. **Local Government is not responsible for unauthorized contracts.**—No contract shall be binding on a local government unless it is made in conformity with the provisions of these rules and the requirements contained in the Act.

4. **Authority to make contracts.**—(1) Subject to the provisions of the Act and any other rules framed thereunder, all contracts on behalf of the local government shall be made by the Mayor or the concerned Chairman, as the case may be, or any other officer authorized by them, in this behalf.

(2) The provisions of sub-rule (1) shall apply to every alteration or discharge of a Contract.

5. **Manner of making contracts.**—(1) For every contract a formal deed of agreement shall be executed between the concerned local government through the Mayor or the concerned Chairman, as the case may be, and the contractor. The performance of every contract shall be subject to such conditions as may be specified therein. The contract shall be made after inviting tenders.

(2) All agreements by or on behalf of the concerned local government shall be signed by the Mayor or the concerned Chairman, as the case may be, or any other officer duly authorized by them, in this behalf, and attested by two witnesses and shall bear the seal of the local government and be executed in such form as shall bind him as if it were made on his own behalf and may in the like manner be altered and discharged.

(3) All agreements shall be written on a stamp paper of the appropriate value and shall, where necessary, be registered under the law for the time being in force.

(4) All contracts shall be recorded in a Register to be maintained in this regard.

(5) All agreements and other documents relating to the contract shall be kept in the custody of the Mayor or the concerned Chairman, as the case may be, or a person duly authorized in this behalf.

6. **Personal responsibility of the Mayor or the concerned Chairman, as the case may be, approving or making contracts.**—The Mayor or the concerned Chairman, as the case may be, making or approving a contract shall be personally responsible for ensuring that—

(a) the contract is made without coercion, undue influence, fraud or misrepresentation;

- (b) the parties are competent to make the contract;
- (c) the contract does not involve any favouritism;
- (d) no official or member of the Metropolitan Corporation or a Union Council, as the case may be, is directly or indirectly interested in the contract;
- (e) the contract is in the best interest of the concerned local government; and
- (f) the contract is legally in order.

7. **Tenders when to be invited.**—(1) The Metropolitan Corporation or a Union Council, as the case may be, may in cases where the question of securing competitive prices or rates is not involved, enter into a contract without inviting tenders.

(2) Subject to the provisions of sub-rule (1) the Mayor or the Chairman concerned, as the case may be, shall, at least seven days before entering into a contract involving an expenditure exceeding rupees fifty thousand in case of the Metropolitan Corporation, and rupees twenty five thousand in case of a Union Council, give public notice in a newspaper inviting tenders for such contract and may accept any of the tenders so made, which appears to him to be the most advantageous:

Provided that—

- (a) if he rejects the lowest tender or all the tenders made in pursuance of the public notice, the reasons for doing so shall be recorded;
- (b) in case of a contract entered into with the approval of the Metropolitan Corporation or the Union Council, the approval of the Corporation or the Council shall be obtained before rejecting the lowest tenders; and
- (c) the Mayor or the concerned Chairman, as the case may be, may, in case of a natural calamity, war or any other emergency declared by the Chief Commissioner, dispense with the formality of inviting tenders and enter into a contract with any person for the execution of any work or for the provision of any supplies with due regard to the quality of work or speedy execution of the contract.

(3) Subject to sub-rule (1) a public notice in respect of tenders for an amount not exceeding the amount referred to in sub-rule (2) shall be pasted or affixed at some conspicuous place at the-office of the local government at least seven days before the date of opening tenders.

8. **Provisions as to tenders.**—(1) No tender shall be deemed to be valid unless—

- (a) it is sealed;
- (b) in the case of a tender submitted by a firm, it is signed by a person holding a power of attorney on its behalf; and
- (c) it is accompanied by earnest money equal to two per cent of the amount of tender, in form of call deposit receipt issued by a scheduled bank:

Provided that the local government may, in any special case for reasons to be recorded, waive the condition regarding earnest money.

(2) All tenders shall be opened, unless otherwise prescribed in any other rules, by the Mayor or the concerned Chairman, as the case may be, at the time and place specified in the public notice issued under rule 7 in the presence of such contractors as may be present, and the Mayor or the concerned Chairman, as the case may be, shall affix his initials and date on every tender so opened.

9. **Security for performance of contracts.**—(1) When a tender has been accepted under these rules, an agreement, where necessary, shall be entered into between the contractor and the concerned local government, through Mayor or the concerned Chairman, as the case may be, or any other officer authorized by them in this behalf, and the contractor shall be required to deposit, in the specified manner and within the time fixed, such earnest money as may be specified and to make up a sum equal to one-tenth of the amount of his tender as security for the due performance of the contract unless otherwise provided in any other rule for the time being in force.

(2) The security shall, on completion of the contract to the satisfaction of the Mayor or the concerned Chairman, as the case may be, but after the expiry of maintenance period, if any, prescribed under the agreement, be refunded to the contractor unless otherwise prescribed in any other rule for the time being in force.

10. **Enforcement of contracts.**—(1) The Mayor or the concerned Chairman, as the case may be, shall take such steps as may be necessary to enforce the performance of contracts in accordance with the terms and conditions thereof and in the best interests of the local government.

(2) Where a contract is not performed according to the terms and conditions contained therein, the Mayor or the concerned Chairman, as the case may be, shall take such action as may be necessary to invoke the penal clause of the contract and to safeguard the interests of the local government.

(3) On completion of the contract, the Mayor or the concerned Chairman, as the case may be, shall record a certificate to that effect, and if the contract was made with the approval of either the Corporation or the Council, a report regarding its completion shall be submitted to them.

S.R.O. 65(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Union Councils Works) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Union Councils Works) Rules, 2021.

(2) They shall come into force at once.

2. **Preparation of Development Plan.**—A Local Government may prepare its Annual Development Plan and get it approved by the Union Council as per procedure laid down in the Islamabad Capital Territory Local Government (Union Council Budget) Rules, 2021.

3. **Approval of estimates of development projects.**—Before the start of work on a project included in the Annual Development Plan the detailed estimates of the work shall be prepared and approved by the Chairman of the concerned Union Council:

Provided that in case cost of a project is not more than Rupees one hundred thousand the Chairman shall, before grant of approval, prepare and obtain sanction of cost estimates and technical sanction of a project from the concerned Metropolitan Officer (Infrastructure) or in his absence, from another such Government Engineer empowered by the Government, as the case may be;

Provided further that the payment shall be made only after the assessment of work and recording of its measurement in the Measurement Book by the abovementioned Engineer.

4. **Execution of development projects.**—(1) In case of a project having a cost less than Rupees one hundred and fifty thousand the Union Council concerned may execute the project on its own either by contracting out to the private sector or through a Project Committee having the following composition, namely:—

- | | |
|--|----------------------|
| (a) Chairman of the concerned Union Council; | Convener |
| (b) Vice Chairman of the Union Council; | Member |
| (c) Three Councilors including one
Female elected by the Union Council; | Members |
| (d) Union Council Secretary | Member and Secretary |

(2) When a development project is to be executed by contracting out to the private sector, the tenders shall be invited and accepted and the contract entered into in the manner prescribed by the Islamabad Capital Territory Local Government (Contracts) Rules, 2021.

(3) The Union Council concerned shall be competent to get works executed through Project Committees where the project costs up to rupees fifty thousand, and with approval of the Union Council where the project costs up to Rupees one hundred and fifty thousand or more.

(4) When a project is executed by a Project Committee, the following terms and conditions shall be observed, namely:—

- (a) the Project Committee shall be responsible for arranging the supply of material, skilled labour, etc., at competitive rates by calling for quotations, etc.;
- (b) the Project Committee shall be responsible for the execution of work according to design and specifications;
- (c) the Union Council Chairman shall release the estimated cost of the project through cross cheque in the name of Project Committee in two equal installments. The funds so released shall be kept in an account of a scheduled bank to be jointly operated by two members of the Project Committee. Before releasing the second installment a report shall be obtained by the Chairman from the Secretary of the Project Committee certifying that the amount of first installment has been incurred properly and that the progress of the work is satisfactory according to specifications;

- (d) for the maintenance of accounts, forms and registers, etc., prescribed under the Islamabad Capital Territory Local Government (Accounts) Rules, 2021 shall be used;
- (e) the Secretary of the Project Committee shall ensure the maintenance of the following record of each project, namely:—
 - (i) detailed estimates duly approved by the Chairman of the concerned Union Council;
 - (ii) the quotations and vouchers of all articles or materials etc., purchased by the Project Committee, duly verified by the Convener of the Project Committee;
 - (iii) muster Roll for payment of labour charges;
 - (iv) stock register and Measurement Book;
 - (v) inspection register for each scheme; and
 - (vi) completion report verified by all members of the Project Committee;
- (f) all members of the Project Committee shall periodically inspect the project and check the quality of work;
- (g) the Project Committee shall prepare and submit the completion certificate in respect of each project separately in the pro forma prescribed by the Government; and
- (h) the Secretary of the Project Committee shall render the accounts of the project within one month of the date of completion of the project to the Union Council.

(5) If the cost of a project included in the Annual Development Plan is more than Rupees one hundred and fifty thousand the Union Council may get it executed through the Metropolitan Corporation as deposit work for which the funds shall be placed at their disposal. The Corporation shall be responsible to prepare the detailed estimates of the project and get them technically sanctioned in accordance with the procedure as may be specified by Government from time to time.

S.R.O. 66(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Metropolitan Corporation Works) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117

of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Metropolitan Corporation Works) Rules, 2021.

(2) They shall come into force at once.

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

- (a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);
- (b) “administrative approval” means the approval of the competent authority to the suitability of the work from the administrative point of view, and the incurring of the proposed expenditure thereon;
- (c) “deposit work” means any work which is executed or is to be executed by an Agency other than the Metropolitan Corporation;
- (d) “Local Government Engineer” means a professionally qualified engineer appointed by the Government and paid by a local government or a group of local governments for the purpose of carrying out its development works;
- (e) “maintenance work” means any operation undertaken to maintain an existing work in proper condition and repair;
- (f) “major work” means a work, the estimated cost of which is rupees one hundred thousand or above;
- (g) “minor work” means a work, the estimated cost of which is less than rupees one hundred thousand;
- (h) “original work” means any new construction whether of an entirely new work, or involving material additions or alterations to an existing work;

- (i) “petty work” means a work, the estimated cost of which does not exceed rupees twenty thousand or such other sum as may be specified by the Government;
 - (j) “sub-ordinate engineering staff” includes Sub-Divisional Officer, Sub-Engineer of a Local Government with the same functions and duties as envisaged in the West Pakistan Buildings and Roads Department Code;
 - (k) “technical sanction” implies the scrutiny of estimates from technical point of view and denotes that the estimates as sanctioned are technically correct and in order; and
 - (l) “work” means any work executed in accordance with these rules.
- (2) Words and expressions used herein but not defined shall have the same meanings as are assigned to them in the Act.

CHAPTER II

CLASSIFICATION OF WORKS

3. For the purposes of these rules, work may be classified as follows:—
- (a) Original Work;
 - (b) Maintenance Work;
 - (c) Deposit Work;
 - (d) Major Work;
 - (e) Minor Work; and
 - (f) Petty Work.

CHAPTER III

SCHEMES

4. **Original Work.**—Where the Metropolitan Corporation has to undertake an original work costing rupees five hundred thousand or more with regard to water supply, drainage, sewerage, development of roads and street lighting or any

other similar service, the Corporation shall, subject to the provisions of the Act and these rules frame a scheme for the execution of such work:

Provided that works costing below rupees five hundred thousand shall be prepared and approved on the basis of cost estimates only.

5. **Scheme.**—(1) A scheme shall be prepared as a rough cost estimate in the first instance. Such a scheme may be prepared through the Metropolitan Corporation or through such technical agency as may be specified by the Government.

(2) Where a scheme is prepared by an agency other than the Metropolitan Corporation, the Corporation may pay to such agency such fees for the preparation of the scheme as may be fixed by Government either generally or in any specific case.

6. **Contents of Scheme.**—A draft scheme prepared under these rules shall among other matters, specify—

- (a) detailed history of the scheme including nature and location of the scheme;
- (b) full particulars of the works to be executed;
- (c) justification for the scheme;
- (d) the estimated cost;
- (e) the manner in which the scheme shall be financed;
- (f) the agency through which the scheme shall be executed;
- (g) the phases in which the scheme shall be executed;
- (h) the period during which the scheme in its various phases shall be completed;
- (i) the benefits and returns from the scheme;
- (j) agencies responsible for maintenance; and
- (k) such other particulars as prescribed in the standard PC-I form issued by the Government, which shall be made applicable to the Islamabad Capital Territory.

7. **Implementation.**—After the scheme has been sanctioned, the Metropolitan Corporation shall take all necessary steps to implement the scheme through the Chief Officer or any officer designated by him, after issuance of formal administrative approval, technical sanction and appropriation of funds.

CHAPTER IV

ESTIMATES AND PLANS

8. **Preliminary work for estimates and Plans.**—For the purposes of undertaking works, the Engineer assigned the task by the Metropolitan Corporation shall prepare the rough cost estimates or PC-I for the scheme after inspecting the site of the scheme, certify the feasibility of the scheme by incorporating images or photographs of the site in the rough cost estimate or PC-I and shall get it vetted from the Technical Sanctioning Authority.

9. **Approval by Chairman.**—When works to be undertaken other than that relating to repair and maintenance is under the direct charge of the Metropolitan Corporation, the Engineer in-charge shall obtain the approval of the Chairman or Chairmen of the Union Councils concerned or affected thereby, before the preparation of plans and estimates.

10. **Award.**—(1) The Metropolitan Corporation shall follow the Composite Schedule of rates as notified by the Islamabad Capital Territory Chief Commissioner's Office.

(2) Award of work in groups may be allowed by the Chief Officer or any officer designated by him, in the interest of works with the prior approval of the Mayor and Chairmen of the concerned Union Councils.

11. **Acceptance of tenders.**—The tenders invited under rule 48 shall be accepted by the Chief Officer on the recommendations of the Metropolitan Officer (Infrastructure) subject to the conditions that—

- (a) the normal procedure for invitation of tenders has been adopted;
- (b) the rates quoted and amounts tendered are such that the total cost of the project shall not exceed the amount for which the technical sanction has been accorded by more than 4.5%; and
- (c) only the lowest tender is accepted unless reasons are recorded in writing for refusing the same.

12. **Preparation of Estimates.**—The estimates for works under these rules shall be prepared in the form and manner prescribed for the preparation of estimates in the West Pakistan Buildings and Roads Department Code.

13. **Estimates how made.**—An estimate on the basis of which a work is to be undertaken shall be subject to—

- (a) sanction and grant of administrative approval by the competent authority;
- (b) technical sanction by competent authority in accordance with the provisions of these rules; and
- (c) availability of funds for the scheme.

14. **Power to grant approval.**—The executive powers of the Metropolitan Corporation with regard to the grant of administrative approval for each work or scheme up to rupees five million included in the approved budget of the Corporation shall vest in its Development Committee comprising the following:—

- (a) Chief Officer; Chairman
- (b) Metropolitan Officer (Infrastructure); Member and Secretary
- (c) Metropolitan Officer (Finance); Member
- (d) Metropolitan Officer (Planning); Member

15. **Approval by Mayor or Government.**—The scheme costing above rupees five million but not exceeding rupees fifty million shall be submitted for administrative approval to the Mayor, as notified by the Planning Office of the Metropolitan Corporation.

The scheme costing above rupees fifty million shall be submitted to the Government for administrative approval.

16. **Approval of rates.**—Unless the Government otherwise decides, Local Government Engineers shall have the same powers of technical sanction, approval of rates of non-schedule items and all other powers not specified in these rules as vest in the engineers of corresponding rank in the Communications and Works Department, Public Health Engineering Department, Housing & Physical Planning Department and officers of District Governments as delegated by the Government.

17. **Authority to approve.**—The authority competent to grant administrative approval or sanction may approve or sanction the estimates subject to such modifications as it may deem fit. Approval of the rates in the administratively approved estimates shall constitute authority for approving rates in the technical sanction.

18. **Lapse of estimates.**—An estimate for a maintenance work shall lapse after the expiry of the financial year to which it relates. An estimate for a work, other than a maintenance work, shall unless otherwise specified, lapse after a period of three years.

19. **Cap on escalation of cost.**—During execution of a work or scheme, the cost of the same shall not be allowed to exceed 15% of the approved cost due to change in design, scope or rates. If the cost of scheme exceeds such cost, a new scheme shall be formulated.

CHAPTER V

ANNUAL DEVELOPMENT PLAN

20. **Annual Development Plan.**—The Offices functioning under the Metropolitan Corporation responsible for preparation of the Annual Development Plan may prepare the Plan and get it approved by the Local Government as per procedure laid down in the relevant rules.

21. **Estimates for Annual Development Plan.**—Before the start of work on a project included in the Annual Development Plan the detailed estimates of work shall be prepared and approved by the concerned Chairman/Chairmen and the Mayor.

22. **Contents of the Plan.**—The Annual Development Plan, among other matters, shall specify—

- (a) the various works to be undertaken;
- (b) the order in which they shall be undertaken;
- (c) the probable dates of the commencement and the completion of various works;
- (d) whether a specified work shall be executed departmentally or through contractor or agency; and

- (e) such other particulars necessary or as may be specified by the Corporation.

23. **Placement before Corporation.**—The Annual Development Plan shall be placed before the Corporation in its ordinary meeting for consideration or approval and the Corporation may sanction it with or without modification.

24. **Publication of Plan.**—The Annual Development Plan sanctioned or modified shall be published in such manner as the Mayor may deem fit.

25. **Execution of Plan.**—As soon as the Annual Development Plan is sanctioned, the Chief Officer shall, subject to the general direction of the Mayor, proceed to take such steps as may be necessary, to execute the work in accordance with the Annual Development Plan.

26. **Progress on Plan.**—The Chief Officer shall submit to the Mayor on the seventh day of every month, progress report of the Annual Development Plan for the preceding month.

27. **Progress to Corporation.**—The Mayor shall submit to the Metropolitan Corporation at least once in three months a progress report about the implementation of the Annual Development Plan.

28. **Execution of new work.**—No new original work shall be executed unless it is included in the Annual Development Plan, administratively approved and technically sanctioned by the competent forum or authority.

CHAPTER VI

AGENCIES FOR THE EXECUTION OF WORKS

29. **Work as part of scheme.**—If a work is to be undertaken as part of a scheme, it shall be executed through such agency as may be specified in PC-I issued by the Metropolitan Office (Planning) of the Corporation, or rough cost estimates of the scheme.

30. **Execution in case of grant.**—If Government has sanctioned a grant for the execution of any work and the agency through which such work shall be executed has been specified in the conditions for grant, the work shall be executed by such agency.

31. **Work by agency.**—Where a work is executed or is to be executed by an agency, the Metropolitan Corporation shall pay such agency such charges for the execution of works as may be fixed by the Government.

32. **Progress of work.**—Where a work is to be executed by an agency, the Mayor and the Chief Officer shall check the progress of the work at various stages, and such agency shall also forward to the Metropolitan Corporation a monthly report on the progress of the work.

33. **Work by Metropolitan Corporation.**—Whenever a work is to be executed under the control of the Metropolitan Corporation it may be executed departmentally, through a contract or through a Project Committee in accordance with the Annual Development Plan:

Provided that the execution of work through Project Committee shall be liable to the technical supervision and evaluation by the Chief Officer of the Metropolitan Corporation.

34. **Project Committee.**—(1) Subject to the provisions of these rules the Metropolitan Corporation's work may be carried out through the Project Committee.

(2) The project committee for the execution of works shall consist of the following, namely:—

- | | |
|--|----------------------|
| (a) Deputy Mayor; | Convener |
| (b) Two Members including one female nominated by the Mayor; | Members |
| (c) Metropolitan Officer (Planning); | Member and Secretary |

(3) The Metropolitan Corporation shall be competent to get the works executed through the Project Committee under the order of the Mayor where the project costs up to fifty thousand rupees and with approval of the Metropolitan Corporation where the project costs more than fifty thousand rupees.

(4) Before the start of work the detailed estimates of the work shall be got technically sanctioned by the competent authority.

(5) The Project Committee shall be responsible for arranging the supply of material and skilled labour, etc., at competitive rates by calling for quotations etc., through open competition.

(6) The Project Committee shall be responsible for the execution of work according to design and specifications. The Project Committee shall also prepare and submit the completion certificate in respect of each scheme separately in the pro forma as prescribed by the Government.

(7) The Mayor shall release the estimated cost of the project through crossed cheque in the name of Convener Project Committee in two equal installments. Before releasing the second installment a report shall be obtained by the Mayor from the Secretary of the Project Committee certifying that the amount of first installment has been incurred properly and that the progress of the work is satisfactory or in accordance with approved specifications.

(8) The funds so released shall be kept in an account of a scheduled bank to be jointly operated by two members of the Project Committee.

(9) For the maintenance of accounts, the forms and registers etc., prescribed under the Islamabad Capital Territory Local Governments (Accounts) Rules, 2021 shall be used. The Secretary of the Project Committee shall ensure the maintenance of the following record of each Project, namely:—

- (a) detailed estimates duly approved administratively and technically sanctioned by the competent authority;
- (b) the quotations and vouchers of all articles or materials etc. purchased by the project committee duly verified by the convener of the project committee;
- (c) muster roll for payment of labour charges;
- (d) inspection register for each scheme;
- (e) completion report verified by all the members of the Project Committee; and
- (f) assessment report of each work prepared by the Project Committee and duly verified by the Metropolitan Officer (Planning) of the Corporation.

(10) All members of the Project Committee shall periodically inspect the Project and check the quality of work.

(11) A Government Engineer assigned the task by the Government shall inspect all Projects in his jurisdiction and provide technical guidance on the spot to the Project Committee regularly.

(12) The accounts of the Project shall be rendered, within one month of the date of completion of the Project, by the Secretary of the Project Committee to the Metropolitan Corporation.

CHAPTER VII

CONTRACTORS

35. Any person possessing such qualification and experience as may be specified by the Government may apply to the Mayor or the concerned authority for the registration of his name as a contractor of a specific category.

36. (1) A person applying for registration as contractor under rule 35 shall fulfill the criteria laid down for the enlistment of the contractors by the Government.

(2) The registration of contractors shall be subject to renewal every year by 31st July, on payment of a renewal fee equal to the registration fee.

(3) All the registered contractors of any Council or the Metropolitan Corporation in the Islamabad Capital Territory shall be eligible to participate in tendering process of the Islamabad Capital Territory.

(4) Tender Form shall be issued by the Metropolitan Corporation to all the registered contractors of any Union Council in the territory free of cost and the Tender Form shall also be available on the website of the Metropolitan Corporation.

37. **Classification of contractors.**—(1) Contractors shall be classified and approved by the Authority as under, -

(a) the registration of the contractors shall be approved for the categories of C-I, C-2, C-3, C-4, C-5 and C-6 by the Committee comprising the following, namely:—

- | | | |
|---|--|----------------------|
| 1 | Mayor or Officer designated by Mayor; | Chairman |
| 2 | Chief Officer; | Member |
| 3 | Metropolitan Officer (Finance); | Member |
| 4 | Metropolitan Officer (Infrastructure); | Member and Secretary |

(b) the registration of contractors for the categories of D and E shall be approved by the Chief Officer on the recommendations of the Metropolitan Officer (Planning).

(2) The approved contractors shall undertake the projects for the amounts as prescribed by the Government.

38. **Fee for registration.**—Every application for registration as a contractor shall be accompanied by a registration fee as may be notified by the Finance Office of the Metropolitan Corporation.

39. **Registration.**—If an application for registration as a contractor is accepted the name of such contractor shall be registered in the register of contractors maintained by the Corporation.

40. **Black List.**—(1) If a registered contractor is in the opinion of the concerned Chairman or Mayor guilty of any misconduct, or a breach of the terms of the contract, the Mayor or Chairman, as the case may be, may after giving the contractor such opportunity of explanation as may be necessary, blacklist his name from the list of registered contractors for such period as may be specified by him.

(2) The aggrieved contractor may file an appeal before the Secretary of the Division concerned within thirty days of the communication of order passed by the Mayor or Chairman under sub-rule (1).

CHAPTER VIII

WORK ORDERS AND CONTRACTS

41. **Muster roles.**—When any work is to be executed by the employment of daily labour a muster roll shall be maintained for such work in the form and manner prescribed by the West Pakistan Buildings and Roads Department Code.

42. **Piece Work.**—Where a work is to be carried out as a piece work the Metropolitan Officer (Infrastructure) of the Corporation shall invite quotations in the manner prescribed by the West Pakistan Buildings and Roads Department Code.

43. **Lowest quotation.**—Where a work is to be carried out as a piece work the Metropolitan Officer (Infrastructure) shall invite quotations in the manner prescribed for the invitation of tenders and the work shall be given to the person offering the lowest quotation after approval of the Mayor or Chairman concerned:

Provided that the Mayor or Chairman may for reasons to be recorded in writing refuse to accept the lowest quotation.

44. **Issuance of work order.**—Where a quotation of a contractor has been accepted under rule 43 for piece work, the Engineer In-charge shall issue a

work order for the execution of the work in the form and in the manner prescribed under the West Pakistan Buildings and Roads Department Code.

45. **Work Order.**—The work order issued under rule 44 shall contain description of work, amount of work order, rate to be paid for it with details of the quantities to be executed and the time within which it is to be executed.

46. **Implementation.**—The Engineer in-charge and his subordinates shall be responsible for strict implementation of the terms of the contract. All the contract deeds shall be executed on standard contract form issued by the Government. The agreement between engineer and contractor shall be written on stamp paper.

47. **Contract documents.**—In the case of works to be executed through contractor, the Metropolitan Officer (Infrastructure) shall prepare contract documents which shall include the following, namely:—

- (a) a complete set of drawings, the general dimension of the proposed work, and so far as necessary details of the various parts of the works;
- (b) a complete specification of the work to be done and of the materials to be used;
- (c) a schedule of the quantities of the various descriptions of works; and
- (d) a set of ‘conditions of contract’ to be complied with by the contractor.

48. **Tenders.**—(1) When a work is to be carried out as a contract work, tenders shall be invited by the Chief Officer.

(2) The tender notice shall be published in two national dailies, fifteen days before the opening date of the tenders.

(3) The process of receiving the tenders shall commence on the date of publication of the public notice in the newspapers and shall be completed within fifteen days.

(4) A receipt shall be issued by the Metropolitan Corporation on receiving a tender from the contractor on Form-I.

(5) All the tenders shall be opened at the time and place specified in the public notice, in the presence of such contractors as may be present, by the committee comprising the following, namely:—

- | | |
|--|----------------------|
| (a) Chief Officer; | Convener |
| (b) Representative of Deputy Commissioner; | Member 14 |
| (c) Municipal Engineer; | Member |
| (d) Metropolitan Officer (Finance); | Member |
| (e) Metropolitan Officer (Infrastructure); | Member and Secretary |

(6) The members of committee shall affix their initials and date on every tender so opened and also on the comparative statement. The rates quoted by the contractors shall be written in figures as well as in words.

(7) The absence of any one member of the committee shall not affect the validity of proceedings of the committee.

(8) The tenders shall be accepted by the Chief Officer after scrutiny by the Metropolitan Officer (Infrastructure) and certification of the availability of funds by the Metropolitan Officer (Finance) and Accounts officer, and the contract shall be executed in such manner and form as prescribed by the Public Works Department of the Government.

(9) Subject to sub-rule (10), the contractor shall, within fifteen days of the acceptance of the tender, furnish to the Metropolitan Corporation, the security for successful performance of the contract equal to one-tenth of the amount of the tender in cash, or in the form of Government securities or bank guarantee and his earnest money or bid security shall form part of such security.

(10) The Metropolitan Corporation may require that instead of the security being deposited in advance, one-tenth of the amount of every running bill payable to the contractor during the course of the execution of work may be deducted and retained by the Metropolitan Corporation, and until the amounts so deducted, the earnest money or bid security shall be treated as a part of the security for the performance of the contract.

CHAPTER IX

EXECUTION AND INSPECTION OF WORKS

49. Metropolitan Officer's responsibilities.—The Metropolitan Officer (Infrastructure) and his subordinates shall be responsible for ensuring that—

- (a) all works are executed in the best interest of the Metropolitan Corporation;
- (b) all works are executed in accordance with the specifications in the sanctioned estimates, and the provisions of these rules;
- (c) the terms of contract are strictly enforced, and nothing is done to nullify or vitiate a contract; and
- (d) the competent authority to accord technical sanction inspects the projects from time to time and conveys his observations to the Mayor.

50. **Extension of time.**—If due to any unavoidable circumstances, a work cannot be completed within the period specified in a contract an extension in such period may be allowed as per contract conditions by—

- (a) the Metropolitan Officer (Infrastructure) if the period of extension does not exceed one month;
- (b) the Chief Officer if the period of extension does not exceed two months;
- (c) the Mayor of the Metropolitan Corporation if the period of extension does not exceed three months; and
- (d) the Metropolitan Corporation if the period of extension exceeds three months.

51. **Safety of public.**—In the execution of works, every care shall be taken to see that the safety and convenience of the public are duly attended to, and that all operations are carried out in such a manner as to interfere as little as possible with the traffic and ordinary pursuits of the people. Temporary roads and bridges shall, where necessary, be provided and particular attention shall be paid to adequate lighting at night of all obstructions to public roads and streets by the contractor or the executing agency, as the case may be.

52. **Interruption in work.**—If there is—

- (a) any interruption in the execution of a work;
- (b) any unusual loss in materials;
- (c) any damage to property; or
- (d) any accident during the execution of any work,

the Metropolitan Officer (Infrastructure) or the person in-charge of the work shall report the case to the Mayor who shall take such action as he may deem necessary, with intimation to the concerned Union Council(s) as may be necessary in this regard and such other authority, as may be specified by the Government in this behalf.

53. **Inspection of work.**—The works shall be inspected by—

- (a) the Chairman or Chairmen concerned;
- (b) the Chief Officer or any officer designated by him;
- (c) the Monitoring Committee of the concerned Union Council (if felt necessary);
- (d) any officer or authority responsible for inspection of the work of the Metropolitan Corporation;
- (e) the competent authority to accord technical sanction may inspect the projects from time to time and convey his observations for rectification to the Engineer in-charge; and
- (f) Metropolitan Officer (Infrastructure) and his sub-ordinates.

54. **Order Book.**—An order book shall be maintained for every work in which shall be written from time to time—

- (a) the orders and instructions given to the sub-ordinates or to the contractor; and
- (b) the remarks about the inspection of the work.

55. **Administration diary.**—An administration diary of progress shall be maintained for every work in the form and manner prescribed by the Government, for such purposes.

CHAPTER X

COMPLETION OF WORKS

56. **Inspection.**—The quantum of works shall be measured and inspected daily.

57. **Completion.**—As soon as a work has been completed, it shall be inspected and measured by the officer of the Metropolitan Corporation in-charge of the work, within ten days from the date of completion.

58. All measurements under rule 56 and 57 shall be recorded in a measurement book in the form prescribed in Departmental Financial Rules Volume-III as in force in the province of Punjab. Full particulars of the work measured shall be given in measurement book which shall include the work being readily identified, and the measurements being checked.

59. All measurements made by the officer in-charge of the work under rule 56 shall be checked by the Engineers assigned the task by the Metropolitan Corporation in the manner prescribed in the West Pakistan Buildings and Roads Department Code and Departmental Financial Rules Volume-III, as applicable for local governments functioning in the Province of Punjab.

60. **Breach.**—If any contractor is found guilty of any breach of the terms of a contract the provisions of the penalty clause in the contract deed shall be enforced against him with the sanction of the Mayor or Chairman concerned.

61. **Completion Certificate.**—Where, on inspection and measurement, a work is found to be in order, a completion certificate and a completion report shall be prepared in the form as prescribed by the West Pakistan Buildings and Roads Department Code.

62. **Record Plan.**—For every original work which is completed, a record plan shall be prepared which shall be the correct representation of the work as actually executed.

63. **Statement.**—On the seventh day of every month, a statement shall be forwarded by the Metropolitan Officer (Infrastructure) to the Mayor showing the details of the work completed during the preceding month. The complete statement shall be in the form as in use in the Public Works Department, Government of Punjab.

64. **Filing of Record.**—When a work has been completed, all documents connected with that work shall be duly checked, filed and recorded in the works register under supervision of Local Government Engineer.

CHAPTER XI

ACCOUNTS FOR WORKS

65. **Bills.**—Bills for payment for work shall be prepared in the form as prescribed in the Islamabad Capital Territory Local Government (Accounts) Rules, 2021.

66. **Basis of account.**—When a work is executed by daily labour, a muster roll accompanied by an abstract of work executed as a piece work or a contract work and the measurement book shall form the basis of the account.

67. **Measurement Book.**—Any payment either for the work done or supply made irrespective of any amount must be entered in the measurement book.

68. **Final payment.**—Final payment shall be made when the work has been completed but running payments may be made during the course of the execution of the work in accordance with the principles prescribed in the West Pakistan Buildings and Roads Department Code and Departmental Financial Rules Volume-III, as applicable for local governments in the Province of Punjab.

69. **Work Charge establishment.**—When any establishment is engaged for the purpose of a particular work, and the cost of such establishment is to be charged against such work, the payment of such establishment shall be made by means of a work charge establishment pay bill as in use in the Public Works Department in the Government of Punjab. The appointment of work charged establishment shall be made by the Mayor on the recommendation of the Metropolitan Officer (Infrastructure) within the provision of sanctioned estimate.

70. **Objections.**—The Metropolitan Officer (Infrastructure) of the Metropolitan Corporation shall submit the bill of work done to the Metropolitan Officer (Finance) of the Metropolitan Corporation who may raise such objections and seek such information as he may consider necessary. If the Finance Office has no objection the bill shall be sanctioned by the Mayor and forwarded to the Metropolitan Corporation Accounts Officer concerned for pre-audit and disbursement of money in the prescribed manner.

71. **Payment to contractor.**—Payment to contractors shall be made by cheques, and as far as possible within thirty days of the completion of the work. If for any reason the payment is not made or cannot be made within the specified period of thirty days, the reasons for such non-payment shall be reported to the Mayor or his representative designated in this regard.

72. **Security deposit.**—The security deposited by the contractor, if any, shall be retained for six months after the completion of the work and shall then be returned to the contractor on his request, unless in the meantime the work has been found to be defective or not up to the specifications and the contractor has not remedied such defects or has failed to comply with the specifications in which case such security or sum deducted shall be retained until such defects have been remedied. In the case of supply of materials, security shall be retained for three months subject to the conditions mentioned above.

73. **Forms etc. to be used.**—For the purposes of accounts of Metropolitan Corporation works, such registers and forms shall be maintained as are in use in the Public Works Department of the Government of Punjab.

74. **Advance.**—Under no circumstances shall an advance be made to a contractor for any work to be executed for the Metropolitan Corporation.

75. **Reference rules.**—The West Pakistan Buildings and Roads Department Code for Public Works Department, Government of Punjab, shall be followed in the matters where these rules are silent.

FORM - I

RECEIPT

[See rule 48(4)]

No.....

Name of the scheme.....

Estimated cost of the scheme.....

Name of Contractor.....

Dated _____

Signature of official issuing receipt

S.R.O. 67(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Conduct of Elected Members) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Conduct of Elected Members) Rules, 2021.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless the subject or context otherwise requires—

(a) “Elected Member” means an elected member of a Union Council or the Metropolitan Corporation and includes a Chairman or Vice Chairman and Mayor or Deputy Mayor;

(b) “Institution” means any Government Department, autonomous body, corporation or any other organization funded by the Government;

(c) “Local Government” means the Islamabad Metropolitan Corporation or Union Council(s) of Islamabad; and

(d) “Misconduct” includes bribery, corruption, misappropriation or willful diversion of funds of Local Government, disregard of the directions of the Government, disregard of the rules, regulations, bye-laws or procedure, conduct prejudicial to good order, conduct prejudicial to public service, undue influence on any Government Institution to extract favours, conduct unbecoming of an elected member, and violations of any provisions of these rules.

(2) All other words and expressions used herein but not defined shall have the same meanings as have respectively been assigned to them under the Act.

3. **Leave *Ex-Pakistan*.**—The Mayor or a Deputy Mayor and any Chairman or Vice Chairman of a Union Council shall not, except with the prior approval of the Government, proceed on *ex-Pakistan* leave.

4. **Contracts.**—No member shall, whether directly or indirectly, associate or render himself interested in any contract or any financial transaction with any Local Government in the Islamabad Capital Territory.

5. **Legal cases and suits.**—No member, being a legal practitioner, shall appear, act or plead for or against the Local Government in a case, suit or other proceedings instituted by or against the Local Government.

6. **Utilization of services of employee.**—No member shall utilize the services of any full-time or part-time employee of the Local Government within or outside the office hours, for any private work.

7. **Misuse of property.**—No member shall misuse any property, machinery or equipment owned or managed by the Local Government.

8. **Gifts.**—No member shall, directly or indirectly, on his own behalf or on behalf of any other person, accept or permit his spouse or children to accept any gift or reward from any employee or contractor of the Local Government, or any person who has received or is likely to receive any benefit from the Local Government.

9. **Pecuniary obligations.**—No member shall lend money to or borrow money from, or place himself under any pecuniary obligation to any employee or contractor of the Local Government, or any person who has received or is likely to receive any benefit from the Local Government.

10. **Communication of official business.**—No elected member shall communicate with the Federal Government or the donor agencies directly. All such communications shall be routed through the Office of the Islamabad Capital Territory Administration.

11. **Insolvency.**—A member who has applied to be or is adjudged or declared insolvent by a court of competent jurisdiction shall forthwith report to the Local Government concerned the fact of making such an application, or of adjudication or declaration as an insolvent.

12. **Financial prudence.**—In the voting of any expenditure out of the Local Government fund, or authorizing the use of any property belonging to or vested in the Local Government, a member shall exercise the same amount of prudence as would have been exercised if such money or property had been his own.

13. **Making encroachment.**—No member shall make or encourage encroachment on any land or property owned or managed by the Federal or any Provincial Government, any autonomous or statutory body or any Local Government.

14. **Indulging in favouritism.**—No member shall indulge in favouritism or nepotism by showing partiality or preference for any person at the cost of another more deserving person.

15. **Canvassing or soliciting support on political party basis.**—(1) No member shall canvass or solicit support directly or indirectly on the basis of political party on any matter before the respective Local Government.

(2) No member shall indulge in unruly or disorderly conduct not in keeping with the dignity of the Local Government in a meeting.

16. **Miscellaneous.**—No member shall, in a meeting of the concerned Local Government make a statement which,—

- (a) undermines the ideology, security, integrity or solidarity of Pakistan;
- (b) seeks to create or excite feelings of enmity, ill-will or hatred between different communities, sects, classes or sections of the citizenry;
- (c) contains any indecent, abusive, obscene, scurrilous or ironical expressions or defamatory remarks against or seeking to defame any person or institution;
- (d) tends directly or indirectly to bring into hatred or contempt the Government established by law; and
- (e) amounts to propagation of any political opinion or indulging in any other political activity.

17. **Bar on forming association etc.**—No member shall—

- (a) form or join any association or guild of members of Local Government by whatever name such association or guild may be called;
- (b) give any statement to the press against the policy of the Federal Government or against the interests of the Government.

18. **Referral for disqualification.**—The Government may take notice of incidents of misconduct of elected members *suo motu*, or on the application of any person, and after holding such inquiry into the matter as may be deemed necessary, if a case for misconduct is established, the Government may refer the case to the Election Commission of Pakistan for disqualification under section 26(2) of the Act.

S.R.O. 68(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Appeals) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title, commencement and applicability.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Appeals) Rules, 2021.

(2) They shall come into force at once.

(3) These rules shall apply to all appeals preferred against orders passed under the Islamabad Capital Territory Local Government Act, 2015 (X of 2015) and the rules or bye-laws framed thereunder except appeals relating to service matters of employees working under the Local Governments.

2. **Appellate Authority.**—Except as otherwise provided in the Islamabad Capital Territory Local Government Act, 2015 (X of 2015) hereinafter referred to as the Act or the rules made thereunder an appeal from an order of the authority specified in column-2 of Schedule-I, shall lie to the authority specified in column-3 thereof.

3. **Limitation.**—(1) Except as otherwise provided in the Act, or the rules made thereunder, the period within which an appeal may be preferred shall be thirty days from the date of the order.

(2) In computing the period of limitation prescribed for an appeal the time requisite for obtaining a certified copy of the order shall be excluded.

(3) An appeal may be admitted after the period of limitation prescribed herein when the appellant satisfies the Appellate Authority that he had sufficient cause for not preferring the appeal within such period.

4. **Manner in which appeals are to be filed.**—(1) Every appeal shall be preferred in the form of a memorandum and shall be presented to the Appellate Authority or an officer authorized by it in this behalf, by the appellant personally or through his authorized agent and may be sent to such authority by registered post.

(2) Every memorandum of appeal shall be in writing and shall set forth concisely the grounds of objection to the order appealed from and such grounds shall be numbered consecutively.

(3) Every memorandum of appeal shall be signed and verified by the appellant and shall, unless the authority before which the appeal is filed dispenses with such requirements, be accompanied by a certified copy of the order appealed from.

(4) Every appeal received by an Appellate Authority shall be entered in a register of appeals as in Schedule-II.

5. **Hearing and decision of appeal.**—(1) No appeal shall be decided unless,—

- (a) notice is given to the authority passing the order appealed against;
- (b) any representation that may be made by such authority in respect of the matter under appeal has been considered; and
- (c) opportunity of being heard in person or through duly authorized agent is given to the appellant and any other party to the proceedings in which the order appealed against was passed.

(2) The Appellate Authority may, before deciding the appeal, call for the record of the case from the authority against whose order the appeal is preferred and may cause such inquiry to be made or obtain such advice, as it may deem necessary.

(3) The Appellate Authority may issue an interim order staying the execution of the order appealed against where, in its opinion, such execution is likely to affect materially the redress sought by the appellant.

(4) An appeal shall, as far as possible, be decided within ninety days of its filing.

(5) The decision of the appeal shall be communicated to the appellant and to the authority passing the order appealed from and shall be given effect to by the latter immediately on its receipt.

(6) The Appellate Authority may determine the costs of an appeal and specify the party by and to whom such costs shall be paid.

(7) Any costs awarded to a Local Government under these rules shall be recoverable as arrears of tax that may be levied as under the Act, or the rules made thereunder.

6. **Transfer of appeal.**—Government may transfer an appeal pending before any authority mentioned in these rules to any other authority of similar or higher status and the authority to whom the appeal is transferred shall exercise all the powers of the authority from whom the appeal is transferred for the purposes of deciding the same.

SCHEDULE-I
(See rule-2)

Sr. No.	AUTHORITY MAKING THE ORDER UNDER APPEAL	APPELLATE AUTHORITY
1.	Islamabad Metropolitan Corporation	(i) Concerned Administration Secretary of the Government, if the order pertains to the devolved functions of his Division. (ii) Chief Commissioner, ICT, in all other cases.
2.	Officers of Metropolitan Corporation	Mayor of the Metropolitan Corporation
3.	Union Council	Chief Officer of the Metropolitan Corporation
4.	Officials of Union Council	Chairman of the concerned Union Council

S.R.O. 69(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Auctioning of Collection Rights) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

CHAPTER I

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Auctioning of Collection Rights) Rules, 2021.

(2) They shall come into force at once.

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

(a) **“Act”** means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);

(b) **“contractor”** means a person, consultant, firm, company or a organization who undertakes to supply goods, services, or works;

(c) **“income”** means income from taxes, fees, tolls and other levies of local government but shall not include grants, contributions and deposits; and

(d) **“negotiation”** means a processed deal with the person, eligible to make a contract, to fetch maximum income out of contract.

(2) Words and expressions used herein but not defined in these rules shall have the same meanings as are assigned to them in the Act.

3. **Auction of collection rights.**—(1) Subject to sub-rule (2) the local government may collect an income through a contractor by awarding contract for collection rights for a period not exceeding one financial year.

(2) The local government shall not award contract for collection of an income including water rate, building fee, commercialization charges, sanitation fee, license fee and lighting rate or arrears of the income, demand for which can be raised against a specific person and its arrears can be carried forward.

4. **Prohibition.**—No contract of collection rights of an income of local government shall be awarded to a contractor except in the manner hereinafter prescribed.

CHAPTER II

5. **Auction procedure.**—(1) For the contract of awarding of collection rights of an income the following auction procedure shall be adopted, namely: -

- (a) a public notice for conduct of an auction, in not less than two national daily newspapers, shall be published by the local government through the office of the Chief Commissioner of the Islamabad Capital Territory at least seven days before the date of auction;
- (b) a copy of the notice shall be placed on the notice board of the office of the local government concerned and at other conspicuous places. Announcement of auction may also be made by beat of drum and other local means;
- (c) the notice shall contain the date and time of auction specifying the terms and conditions for participation in the auction;
- (d) every time the publication of auction notice shall be compulsory; and
- (e) the public notice shall contain the minimum reserve price for auction and period of contract with rates and details.

6. **Statement of participants and auction committee.**—(1) On given date and time of auction a statement of participants, who are eligible to participate in the auction and have deposited the earnest money, shall be prepared and signed by the Mayor or a person authorized by him and at least two participants of the auction.

(2) The name, address and computerized national identity card number of each participant shall be written, and attested copy of the participant's computerized national identity card shall be collected and kept in the record.

(3) The auction committee in a local government shall consist of the following; namely:—

- (a) Metropolitan Officer (Finance);
- (b) an officer nominated by the Chief Commissioner;
- (c) a representative of the local government, not being below the rank of Assistant Commissioner, nominated by the Deputy Commissioner;

(d) the Convener or Chairman.

7. **Statement of bid or offer.**—The auction shall start after announcing and delivering the copy of terms and conditions of the contract. A statement of bids or offers shall be prepared in the presence of the participants of auction and it shall be signed by the Mayor or the person authorized by him and signatures of the three highest bidders shall also be obtained in a column against the amount of their bids.

CHAPTER III

8. **Manner of awarding contracts.**—The contract of collection rights of an income of a local government shall be awarded to the highest bidder through an open bid by adopting the procedure of auction as laid down in Chapter II.

9. **Reserve price.**—The reserve price for an income shall be the average of last preceding three years' income of the respective local government:

Provided that in case of an income introduced by a local government for the first time, the assessed and expected income as provided in the budget from that source shall be the reserve price for that income.

10. **Attempts to award the contract.**—At least three attempts shall be made to award the contract of collection rights of an income through open bid by the administration of the local government concerned before the commencement of financial year if the first and second attempts of auction have failed to fetch bid equal to the reserve price or more.

11. **Acceptance of bid.**—(1) The bid received in open auction, if less than the reserve price shall be rejected by the Mayor or the person authorized by him in all cases and the contract shall be re-auctioned in the prescribed manner.

(2) The highest bid, equal to reserve price or above, received in open auction shall be accepted by the Mayor or Chairman and placed before the local government concerned, within ten days of receipt of bid for confirmation; provided that the bid so received was reasonable and there was no scope of its further enhancement in view of the concerned local government administration.

(3) The Mayor or the Chairman of the Union Council concerned, as the case may be, shall have full powers to accept or reject the bid duly recommended by the local government administration for the reasons to be recorded in writing.

(4) Subject to sub-rule (5) if the Mayor or the Chairman of the Union Council concerned, as the case may be, accepts an offer or bid of a contract and enters into an agreement with the contractor, he shall not repudiate the agreement

unless necessary due to any breach of the agreement by the contractor and in such a case shall record reasons in writing for such repudiation.

(5) If the local government is satisfied that the auction has not been conducted in accordance with the rules or in a transparent manner, it may repudiate the agreement and the responsible officer may be proceeded against under the law.

12. **Intimation of acceptance of bid.**—(1) As soon as the confirmation from the concerned local government about the acceptance of bid or offer is received, the local government administration shall communicate the acceptance of bid or offer to the contractor immediately by a letter through special messenger at his address provided by him at the time of participation in auction and direct him to enter into written agreement and fulfill his obligations in accordance with the terms and conditions of contract.

(2) The cost of executing the written agreement shall be borne by the contractor.

(3) In case the contractor does not turn up to deposit dues recoverable from him in the light of terms and conditions of auction or does not enter into written agreement within the specified period mentioned in the communication, it shall be presumed that the contractor is no longer interested in the contract. As such the contract shall automatically stand cancelled and the deposits made by the contractor shall stand forfeited. The contract shall also be put to re-auction in such a case, as prescribed.

CHAPTER IV

14. **Terms and conditions of contract.**—Notwithstanding such other conditions as may be specified by the concerned local government in a contract, the conditions laid down in this Chapter shall invariably be part of the terms and conditions of any contract to which these rules apply.

15. **Eligibility of contractor.**—Any person who—

- (a) is a defaulter in respect of any dues to a local government; or
- (b) has been blacklisted by a local government or any other department;
or
- (c) has been declared insolvent; or
- (d) is not competent to enter into an agreement under the law, shall not be eligible to be a contractor.

16. **Earnest money.**—(1) A contractor shall deposit an amount equivalent to five percent of the reserve price as earnest money with the local government before taking part in an auction.

(2) The earnest money deposited by a successful bidder may, to the maximum limit of sixty percent, be adjusted against the amount payable by him as;

- (a) a first monthly installment; and
- (b) the amount payable under sub-rule (1) of rule 17.

The balance earnest money shall be retained by the local government as a security for successful completion of contract and payment of dues under the agreement.

(3) The earnest money of unsuccessful bidders shall be returned immediately after completion of auction.

(4) The earnest money retained as security shall be refunded to the contractor after successful completion of contract and production of a certificate from the Head of Revenue Department of respective local government that nothing is due from the contractor and contract has been completed successfully.

17. **Dues and deposits.**—(1) After receipt of communication of acceptance of bid or offer from the local government the contractor shall immediately deposit one tenth of the amount of offer or bid in the funds of respective local government and enter into written agreement with the local government within three days.

(2) The remaining amount of offer or bid shall be paid by the contractor to the local government in such equal monthly installments that the whole amount be recovered at least one month before the completion of contract.

(3) The installments shall be paid by the contractor in advance by the fifth day of each month.

18. **Other deposits.**—(1) The contractor shall deposit other charges such as rent of buildings under his possession, cost of books, stationery, furniture and fixtures or any other asset or property provided by the Federal Government for use of collection of income, in the funds of local government in advance by the fifth day of each month.

(2) The contractor shall be responsible for deposit of salaries, pension contribution, premium of group insurance, leave salary, all allowances and other

fringe benefits permissible to the employees of local government handed over to him for administration and collection of respective income.

(3) Income tax, sales tax, professional tax or any other levies in force shall also be recovered from the contractor.

(4) Any other deposit agreed upon between the local government and the contractor shall be recovered accordingly.

19. **Maintenance of accounts and official record.**—(1) A contractor shall keep the record relating to accounts of the income as well as other documents in proper order as provided in the respective rules, bye-laws and procedures.

(2) All such record shall be the property of the local government. The contractor may have an attested copy thereof from the local government.

(3) The Mayor or any other person authorized by him and officers or officials of Revenue Department of local government may inspect such record.

20. **Properties and assets.**—(1) The contractor shall keep the properties and assets of local government, given to him at the beginning of contract, in the same condition as when they were received by him and he shall be responsible for any material loss caused to such properties and assets due to his negligence during the contract.

(2) The contractor shall deliver all assets and properties received by him back to the local government after completion of contract and get certificate from the local government for such delivery.

21. **Implementation of collection procedure and bye-laws.**—(1) The complete set of procedures of collection of tax, fee, toll or any other levy of local government along with respective rules, notifications and bye-laws of local government shall be part of the terms and conditions of the contract and contractor shall be bound by the said procedures, rules and bye-laws of local government in collection of taxes.

(2) The contractor shall have no right to interpret any law or bye-laws; provided that in case a need arises for interpretation he shall refer the matter to the local government for interpretation.

22. **Over-charging.**—(1) The contractor shall not be involved in over-charging either by himself or through any other person.

(2) In case of violation of sub-rule (1), action shall be taken against the contractor or his agent or any other person, involved in over-charging, under Chapter XIII of the Act and his contract shall be cancelled and all deposits made by him shall be forfeited forthwith.

23. **Rights and responsibilities of the contractor.**—(1) The contractor shall be responsible to abide by the terms and conditions of the contract.

(2) The contractor shall be responsible to collect income in accordance with the provisions of law, rules, bye-laws and notifications, etc.

(3) The contractor shall be entitled to receive all amounts collected as income related to the contract after making proper entry into the relevant books of accounts as a token that he has received such amounts.

(4) The contractor shall be entitled to supervise, monitor and control the collection staff entrusted to him for purpose of collection of relevant income.

(5) The contractor shall not be authorized to appoint his personal staff for collection of income. All collections shall be carried out by him through the staff of the local government concerned assigned to him for this purpose.

24. **Disputes.**—(1) In case of any dispute arising between the contractor and local government regarding the contract or any other matter arising out of the contract, the contractor and the local government shall have a right to resolve the dispute through arbitration under the Arbitration Act, 1940.

(2) The arbitrator shall decide the dispute within one month.

(3) The decision of the arbitrator shall be final and binding on the parties concerned.

(4) The disputes between the public and the contractor shall be settled by the head of Revenue Department of local government within one week.

(5) The arbitrators shall be appointed by local government through notification in the official Gazette.

25. **Sureties and uarantees.**—(1) The successful bidder shall furnish to the satisfaction of the local government, a surety for the due performance of the contract.

- (2) The surety shall be a person who has a valid National Tax Number.
- (3) The surety shall furnish a bank statement for the preceding six months also showing a bank balance equivalent to the amount of the surety.
- (4) In case of default of contractor in discharge of his obligations under the contract for any reason, without prejudice to the claims of local government against the contractor, the local government shall be entitled to recover from the surety, not only the amount including charges, dues and fees which may have become due under the contract, but also the costs of a proceeding initiated in this regard.

26. **Cancellation of contract.**—(1) The contract shall stand automatically cancelled if a contractor—

- (a) fails to abide by any term or condition of the contract; or
- (b) fails to pay any dues on proper date and time; or
- (iii) is involved in over-charging and circumventing rules, bye-laws and notifications related to collection of respective income; or
- (d) violates any other condition which the local government administration may deem fit to impose in the public interest:

Provided that the contract shall not be cancelled without providing an opportunity of being heard to the contractor by the local government.

- (2) After cancellation of contract the local government may choose to re-auction the income for the remaining period of contract or may make departmental collection and in any case if the income so received is found less than the contractual amount the difference shall be recovered from the contractor as arrears of land revenue.

27. **Rebates.**—The contractor shall not be entitled to rebate on any ground whatsoever.

28. **Extension of Contract.**—No extension in a contract shall be granted beyond one year on any ground whatsoever.

S.R.O. 70(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Commercialization) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons

likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement**—(1) These rules maybe called the Islamabad Capital Territory Local Government (Commercialization) Rules, 2021.

(2) These rules shall come into force at once.

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

(a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);

(b) “approved plan” means a long-term spatial plan, master plan or outline development plan or any zoning or land use plan made there under, for the time being in force, that inter alia provides for the development, expansion and improvement of the area and also includes restrictions, regulations and prohibitions with regard to the development of sites, erection and re-erection of buildings within the local government area, duly approved by the competent authority *i.e.* Metropolitan Corporation or Union Council, as the case maybe;

(c) “building regulations” means laws, rules, regulations, bye-laws, policies or provisions of approved plan, for the time being in force, regulating the construction of buildings;

(d) “commercialization” means change in the use of land or building, from residential to commercial, against the uses prescribed in the approved plan;

(e) “Commercialization Committee” means the committee constituted under rule 12 in respect of Metropolitan Corporation or the concerned Union Council, as the case may be;

(f) “main road” means an inter regional road which caters for the inter-urban as well as inter-district traffic; and

(g) “setback’ means a portion of land required to be left open to the sky by the owner from his own land or property along the street or road for the purpose of parking or widening of street or road where construction of every sort under or above is prohibited.

(2) Words and expressions used herein but not defined in these rules shall have the same meanings as are assigned to them in the Act.

3. **Regulation of land use.**—The land uses shall be regulated in accordance with the land use plan prepared under the approved plan notified by the Chief Commissioner Islamabad in case of Metropolitan Corporation or Union Council, as the case may be, for all the other places, made after approvability the Local Council concerned and vetting by the Capital Development Authority.

4. **Declaration of roads and streets.**—(1) Commercialization shall not be allowed in individual cases except on the roads and streets declared for commercialization by the Commercialization Committee after inviting public objections through proper advertisement in at least two national dailies through the officer in charge of the same in the Ministry of Information, Broadcasting and National Heritage, Islamabad.

Provided that in residential zone or area no window or other opening shall be allowed on the rear side of the commercial building which may adversely affect the privacy of the residents of the area:

Provided further that the height of such buildings shall be in accordance with the prevailing height of the residential buildings of the area prescribed in accordance with the building regulations.

(2) The selection of roads or streets as commercial and all related matters shall be decided by the Commercialization Committee after careful analysis of the following aspects namely:—

- (a) prevailing growth pattern of the area;
- (b) anticipated future development potential;
- (c) predominant commercial land use;
- (d) traffic volume;
- (e) road width;
- (f) aesthetic character of the area; and
- (g) any other factor considered relevant by the Commercialization Committee.

5. Setback requirements for the roads selected for commercialization.—(1) Properties where change of land use from non-commercial to commercial is involved, the owner of the property shall provide setback from his land as provided hereinafter:—

- (a) a minimum setback of ten feet for the roads selected for commercialization by the Commercialization Committee irrespective of the size of the plot;
- (b) above ten feet of setback, if decided specifically by the Commercialization Committee, keeping in view the traffic needs, covered area, nature and type of building location and other related matters; and
- (c) a minimum setback of twenty feet on main roads, bye-pass roads or canals:

Provided that in case of high-rise buildings, the Commercialization Committee shall give due consideration to the parking requirements before prescribing the setback

(2) The owner shall submit an affidavit to the effect that the area under setback stands surrendered in favour of the Islamabad Metropolitan Corporation or Union Council, as the case may be.

6. Established commercial areas.—(1) In case of old established commercial areas, roads or bazaars, the Commercialization Committee shall conduct survey to identify and declare the roads and streets where provision of setback is not practicable or viable. The Metropolitan Corporation or the respective Union Council shall notify these roads, streets or bazaars, after vetting by the concerned departments of the Capital Development Authority and the Metropolitan Officers for Infrastructure, Planning and Municipal Regulations, and final approval by the concerned Local Government as well as the Government.

(2) The applicant shall pay charges equivalent to the commercial market rates as per valuation table in Schedule I for the setback area falling under sub-rule (1).

(3) The Islamabad Metropolitan Corporation or respective Union Council shall maintain a separate head of account and the income thus generated shall be utilized exclusively for the development of parking sites and parking plazas in close proximity of the area mentioned in sub-rule (1).

7. Partial commercialization.—Partial commercialization shall not be allowed:

Provided that where partial commercialization already exists it may be regularized, in suitable cases, by the Commercialization Committee subject to such conditions as the Commercialization Committee may specify.

8. **Submission of applications.**—(1) Applications for commercialization shall be submitted to the Commercialization Committee stating clearly the intended commercial use.

(2) The applicant shall be required to submit the following documents, namely:—

- (a) a copy of national identity card;
- (b) site plan showing road width and land use with the boundaries of adjoining properties;
- (c) a no objection certificate from the residents to be affected by commercialization;
- (d) a no objection certificate, if required, from any other concerned government agency;
- (e) documents of title;
- (f) application processing fee at the rate of rupees two thousand per marla or as may be prescribed by Government; and
- (g) any other document or information required by the Commercialization Committee.

9. **Commercialization charges.**—(1) Commercialization charges at the rate of two percent of the value of the property or land in question shall be received for the following, namely:—

- (a) for the urban commercial land;
- (b) for any other land, on the average sale price of preceding twelve months of the adjacent properties of the area:

Provided that for the purpose of calculation of charges the area under setback shall be excluded:

Provided further that the Government may, on the recommendation of Commercialization Committee and in the public interest, exempt from payment of

commercialization charges on land use on annual basis for projects run by charitable organizations operating on not for profit and non-commercial basis and exempted from income tax.

(2) Payment of commercialization charges shall be made in lump sum:

Provided that the Commercialization Committee may, on the request of an applicant, allow three equal installments of the remaining amount, covering a period of twelve months, in cases where at least fifty percent down payment has already been made, and in case of failure to deposit the installment within the stipulated period or after the lapse of grace period of three months, the deposited amount shall stand forfeited in favour of the Government.

(3) The building plan shall be approved by the Islamabad Metropolitan Corporation and vetted by the Capital Development Authority to ensure that there is no contravention of any requirements of the master plan for Islamabad, but in any case only after full payment of commercialization charges has been made.

(4) A rebate at the rate of five percent of the total commercialization charges shall be given to the applicant who has paid such charges in lump sum within a period of thirty days from the receipt of demand notice.

(5) The concerned Local Government shall maintain a separate head of account for the income generated from commercialization charges that shall be utilized exclusively for the widening of roads, development of sewer system and development of other infrastructure in close proximity of such commercialized land or buildings.

10. Temporary commercialization.—(1) The Commercialization Committee may, after inviting public objections at the cost of applicant through the procedure prescribed by the Local Government concerned, allow temporary commercialization for a period not exceeding one year, at the rate of three percent of the value of urban land to guest houses, youth hostels, gymnasiums, museums, health centers, hospitals, clinics, schools, colleges, universities, clubs, bus stands, beauty clinics, restaurants, banks and offices subject to the following conditions, namely:—

- (a) structural changes in the existing buildings shall not be allowed; and
- (b) provision of a no objection certificate from neighbors and prescribed parking facilities has been ensured.

11. Regularization of unauthorized commercial buildings.—(1) The Commercialization Committee may regularize the existing unauthorized

commercialization if it is on the road declared for commercialization and it existed prior to the commencement of these rules, subject to payment of commercialization charges, fees and dues, as may be leviable, at the rate of ten percent of the value of the land.

(2) Such regularization shall be done subject to the following conditions, namely:—

- (a) there is no encroachment on public utility sites;
- (b) there is no violation of building bye-laws;
- (c) a setback as required under rule 5 shall be provided or charges mentioned in rule 6 have been deposited; and
- (d) an undertaking to the effect that setback shall be provided at the time of re-erection of the building has been submitted by the applicant.

12. **Commercialization Committee.**—The following Commercialization Committee is hereby constituted in the Islamabad Capital Territory for the purposes of these rules, namely:—

- (a) Deputy Commissioner; Chairman
- (b) Metropolitan Officer (Infrastructure); Member
- (c) Metropolitan Officer (Planning); Member
- (d) Representative of Traffic Police; Member
- (e) Representative of Capital Development Authority; Member
- (f) Director (Development and Finance), ICT Administration; Member
- (g) Government Engineer appointed by local Government concerned with the approval of the Government; Member and Secretary

13. **Review by Commercialization Committee.**—The Commercialization Committee may periodically review the notified roads, streets and bazaars keeping in view the changing circumstances and local conditions.

14. **Action against unauthorized commercialization.**—Any commercialization on road or street made except in accordance with these rules

shall be deemed to be an unauthorized commercialization and action in all such cases, including sealing of premises, shall be taken under the laws for the time being in force.

15. **Compliance with law.**—The Member and Secretary of the Commercialization Committee mentioned in rule 12 shall ensure that the commercialization is done strictly in accordance with prevailing law, rules, regulations and bye-laws for the time being in force. For this purpose he may develop procedures, forms and checklists and get them approved from the Commercialization Committee, to ensure that the commercialization is fully compliant with the law.

16. **General supervision.**—Government may issue instructions or directions generally to a Local Government specifically, on matters relating to commercialization of properties.

SCHEDULE I

(See Rule 6(2))

S.R.O. 71(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Internal Audit) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement.**—(1) These Rules may be called the Islamabad Capital Territory Local Government (Internal Audit) Rules, 2021.

(2) They shall come into force with immediate effect.

2. **Definitions.**—In these Rules, unless there is anything repugnant in the subject or context,—

(a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015);

(b) “Audited Entity” means an office or organization of a local government established, created or registered under the Act;

(c) “Control” means the policies, procedures, practices and organizational structures in place, designed to provide reasonable assurance that the objectives of a local government are achieved effectively and efficiently and to avert, detect and correct undesirable events well in time;

- (d) “Control Risk” includes the risk of an error that could be material, individually or in combination with other errors, if not prevented or detected and corrected within the time frame specified for such correction by the internal control system;
- (e) “Control Systems” include the controls established and maintained by a local government for an audited entity defined in these rules to collect, record and process data and report the resulting information;
- (f) “Economy” means acquiring resources at the competitive lowest cost without compromising the quality with regards to the objectives of a local government;
- (g) “Effectiveness” means the relationship of an output to what is intended to be achieved;
- (h) “Efficiency” means the relationship of inputs to outputs in terms of optimum utilization of resources;
- (i) “Executive” includes all officers of a local government assigned to discharge the respective affairs of a local government;
- (j) “Governance” means a leadership process through which the Executives set and oversee implementation of the policies, designed to achieve better performance of functions and ensure accountability;
- (k) “Government” means the Federal Government;
- (l) “Government Organizations” means all administrative departments and subordinate offices under the direct or indirect control of the Government;
- (m) “Internal Audit” means an independent and objective assurance, appraisal and consulting activity designed to add value and to improve the operations of a local government to achieve the agreed objectives of its policy by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes;
- (n) “Principal Accounting Officer” means the Chief Officer in the case of the Metropolitan Corporation and the Chairman of the Council in case of a Union Council;

- (o) “Quality Services and Standards Office” means the Office working under the control of internal auditor and responsible for conducting internal audit and other ancillary functions as specified in these rules;
- (p) “Internal Auditor” means head of Quality Services and Standards Office appointed or designated by the local government concerned to conduct internal audit of an audited entity under these rules;
- (q) “Risk” means the degree to which operations of a local government are exposed to breaches in ethics, financial indiscipline or loss, inappropriate disclosure of data or ineffective use of resources and includes an act or event occurring that would have an adverse effect on a local government office and its systems; and
- (r) “Risk Management” means systematic approach to setting the best course of action under uncertainty by identifying, assessing, understanding, acting on and communicating risk issues. Risk management involves designing and implementing strategic plans and processes to manage risk issues at a level acceptable to the management of a local government.

3. Appointment, qualification, terms and conditions of service of the Internal Auditor.—(1) The Mayor of the Metropolitan Corporation or the Chairman of the concerned Union Council may appoint or designate an Internal Auditor.

(2) The qualifications, pay and allowances, tenure in office and other terms and conditions of service of the Internal Auditor shall be prescribed by the Government on the recommendation of the concerned Local Government.

(3) The Internal Auditor and his staff shall be the employees of the Local Government concerned.

(4) The Internal Auditor shall not hold another office in a Local Government, which creates or may create a conflict of interest with his position as such.

(5) The Internal Auditor shall not hold another position in a Local Government in which he serves as head of the Quality Services and Standards Office, except where the holding of said additional office would not compromise the discharge his functions as an Internal Auditor.

(6) The employees of the Quality Services and Standards Office shall receive instructions from the Internal Auditor only, who shall report to the Principal Accounting Officer of the concerned local government.

(7) Save as otherwise provided in the law or rules, the Internal Auditor may not be removed or suspended before the end of the term for which he has been appointed, except with the approval of the Metropolitan Corporation or the Union Council, as the case may be.

4. **Professional independence and objectivity.**—(1) The Internal Auditor shall serve as the Principal Support Officer to the Mayor or Chairman concerned and shall provide information and make recommendations to the Principal Accounting Officer, Mayor, members of the respective local governments and heads of the audited entities.

(2) He shall have direct access to the Mayor and the Principal Accounting Officer of a local government in the discharge of his assigned functions.

(3) The scope of work of the Internal Auditor shall include a broad range of advisory services, gathering information on all functions of a local government, including evaluation of design and systems, and formulation of advice with the objective to build quality and ensure timely delivery of services.

(4) The opinions, views, assessment, valuation and recommendations of the Internal Auditor shall be an advisory and consulting activity, designed to add value and to improve the Local Government operations, and shall be given due consideration and weight by the Local Government while taking corrective measures or actions.

(5) The Internal Auditor shall discharge all functions, and act in accordance with the provisions of the Act and these rules without any outside influence. The independence and professional work of the Internal Auditor and his staff shall not be subject to interference, obstruction and scrutiny by any executive authority of the local government.

(6) The professional work of the Internal Auditor shall be based on objective criteria and he shall perform his professional work impartially and fairly.

(7) The Internal Auditor and his office shall not interfere in the functioning of the local government and any office or body created under a statute or any other law in force.

5. **Guidelines.**—(1) The Internal Auditor shall help the local government to accomplish all its major policy objectives by bringing a systematic and disciplined approach to the process of evaluation to improve the effectiveness of risk management, control systems and governance processes. The Internal Auditor may issue appropriate guidelines, strictly consistent with the provisions of the laws and rules in force and such guidelines may include advice on modifications of existing

systems and procedures, introduction of new systems, procedures, forms, etc., for carrying out the purpose of these rules,

(2) The Mayor or Chairman, as the case may be, with the approval of the respective Local Government, may enlarge or restrict the scope of the objectives, or change, amend, alter, vary or modify the systematic and disciplined approach for the required evaluation and improvement of the effectiveness of risk management, control and governance processes.

6. Obligation to conduct Internal Audit.—(1) Internal Audit shall be a continuous management function of a Local Government.

(2) The Internal Auditor shall have access at all reasonable times to relevant documents, minutes, files, books, papers, accounts and vouchers of the local government offices, and shall be entitled to enquire from the executives as to such information and explanations which are necessary for the performance of his functions.

(3) In case of any classified or secret information, restrictions imposed by law regarding the eligibility to have access to information shall also apply to the Internal Auditor.

(4) The officer of Quality Services and Standards Office concerned, so long as the records remain in his custody, shall be responsible for their safety and ensuring that the records are not destroyed, mutilated, damaged or tampered with in any manner, whatsoever.

7. Functions, duties and responsibilities of the Internal Auditor.—

(1) The Internal Auditor shall examine, *inter alia*, whether the audited entity has in place,—

- (a) mechanisms to ensure compliance with the policies, laws, rules and regulations and effective systems of internal control to achieve its objectives;
- (b) strategies to manage risks and measures to manage resources economically, efficiently and effectively;
- (c) procedures to safeguard the assets of the Local Government concerned;
- (d) reliable information systems including that of accounting information and financial management;
- (e) mechanisms to prevent and detect fraud, abuse and waste of public resources;

- (f) effective procedures for the rectification of deficiencies in the operations and systems of the local government identified by Internal Auditor;
 - (g) mechanisms for citizens participation in performance evaluation of local government offices; and
 - (h) mechanisms for redress of grievances of citizens.
- (2) Without prejudice to the generality of the above, the functions of Internal Auditor include,—
- (a) evaluation of adherence to laws, regulations and approved policies and procedures;
 - (b) evaluation of the institutional processes, including human resource, management, information flows, office accountability mechanisms of a local government to safeguard resources against fraud, waste, abuse and mismanagement;
 - (c) reviewing of systems of Internal Control and evaluating systems and processes of the local government and making recommendations for improvements to promote orderly, economical, efficient and effective operations;
 - (d) investigation of specific matters as directed by the Mayor or Chairman concerned or as recommended by the concerned local government;
 - (e) using citizen based inputs concerning service delivery, institutional processes and actual performance;
 - (f) interaction with other stakeholders to update performance indicators and standards of service delivery; and
 - (g) any other ancillary task assigned by the Mayor or Chairman or the concerned local government.

Explanation: The objective of Internal Audit is to help the audited entity to improve its risk management, control and governance through its recommendations to achieve the policy objectives of the local government.

- (3) The Internal Auditor shall ensure that,—

- (a) the Internal Audit is conducted in a manner consistent with the highest ethical standards;
- (b) the Mayor and Chief Officer in the case of the Metropolitan Corporation and the Chairman in case of the concerned Union Council as the respective audited entities are fully and currently informed concerning frauds, abuses and deficiencies relating to the implementation of policies administered or financed by the audited entities and recommend corrective actions concerning such problems, abuses, deficiencies and to report on the progress made in this regard.

8. **Reporting.**—(1) The Internal Auditor shall present an Annual Report on the performance of his office to the Mayor or concerned Chairman with a copy to the Metropolitan Corporation or respective Union Council.

(2) The Internal Auditor shall, according to the annual audit programme, conduct detailed internal audits of selected offices and present his findings through periodic reports to the Mayor or Chairman with a copy to the respective local government.

9. **Follow-up on the reported findings to determine that corrective actions were taken and or achieving the desired results.**—(1) Not later than two months after an internal audit report is issued, the Internal Auditor shall follow-up on reported findings in order to ascertain whether the corrective actions were taken, and the desired results achieved or not.

(2) The Quality Services and Standards Officer shall inform the Mayor, Chief Officer and/or Chairman of the concerned Union Council, as the case may be, on the status of the follow-up on the supervision of the programme, activity, function or organizational unit audited.

(3) If a follow-up report is issued, the Internal Auditor shall submit the report to the Mayor as well as the principal Accounting Office, in case of the Metropolitan Corporation, or the Chairman in case of a Union Council. The follow-up report shall be provided upon request to any legislative, executive, or judicial body or auditor or an external auditor after approval by the Mayor or the concerned Chairman.

10. **Access of Information to Public.**—(1) Audit working papers and reports shall be public records to the extent that they do not include information specifically made confidential pursuant to laws in force.

(2) Nothing in this section shall be construed to authorize the public disclosure of information that is:

- (a) specifically prohibited from disclosure by any other law;
- (b) a part of an ongoing criminal investigation.

11. Duties and responsibilities of the Mayor and the concerned Principal Accounting Officer in respect of Internal Audit.—(1) The Mayor and the Principal Accounting Officer of a Local Government shall take measures to restructure the existing inspection, monitoring and evaluation functions of the respective Local Government on the recommendations of the Internal Auditor, provided that such restructuring is consistent with the laws and rules in force.

(2) The Mayor and the Principal Accounting Officer of the concerned Local Government shall ensure that the rights and privileges granted to the Internal Auditor under these rules are not infringed upon by an act of any officer or staff under their administrative control.

(3) Any person hindering or obstructing the work of Quality Services and Standards Office in the performance of its functions or denying or willfully delaying access to information required by the Quality Services & Standards Office under these rules shall be subject to disciplinary action under the relevant efficiency and discipline rules, or any other law for the time being in force, applicable to such person.

12. Reporting a criminal offense. - In the event that the Internal Audit of an organization raises a basis to believe that a criminal offence has been committed, the Quality Services and Standards Office shall bring the matter to the attention of the Principal Accounting Officer concerned or the Mayor without delay.

S.R.O. 72(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Legal Advisors) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. Short title and commencement.—(1) These rules may be called the Islamabad Capital Territory Local Government (Legal Advisors) Rules, 2021.

(2) They shall come into force at once.

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

- (a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015); and
- (b) “Advocate” means an advocate as defined in the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973).

(2) The terms used but not defined herein shall have the same meanings as are assigned to them under the Act.

3. **Qualifications.**—(1) A Legal Adviser shall be an Advocate who has been practicing for not less than five years immediately before the last date fixed for the receipt of applications for appointment of Legal Adviser.

(2) A Senior Legal Adviser shall be an Advocate of the Supreme Court of Pakistan having at least twenty years experience of active practice.

4. **Procedure for appointment.**—(1) A Local Government desirous of engaging a Legal Adviser on regular basis shall invite applications through advertisement in at least two national daily newspapers indicating the requisite qualifications, experience, standing of the advocate and the maximum remuneration offered:

Provided that it would be clearly indicated in the advertisement that a Legal Adviser may be appointed at a remuneration, which may be less than the remuneration offered:

Provided further that where the remuneration to be paid does not exceed one thousand rupees, the advertisement may be dispensed with.

(2) The candidates shall be advised to address their applications to the Local Government concerned and also forward a copy of the application along with annexure to the Government.

(3) The Local Government concerned shall forward to the Government all applications of the candidates along with its recommendations.

(4) The recommendations received from the Local Government concerned shall be considered by a Selection Committee comprising the following, namely:—

- (a) Law Minister; Chairman
- (b) Secretary, Ministry of Law & Justice; Member
- (c) Chief Commissioner of ICT; Member
- (d) Deputy Commissioner of ICT; Member

Provided that Government may at any time alter the constitution of the committee, increase or decrease the number of its members.

(5) The committee shall if deemed appropriate, approve the name of the Advocate to be appointed as a Legal Adviser and the remuneration to be paid to him.

(6) The Advocate approved by the committee shall be appointed by the local government concerned on the terms and conditions fixed by Government.

5. **Duties.**—(1) It shall be the duty of a Legal Adviser or an Advocate engaged by a Local Government to tender legal advice and to appear in legal proceedings on behalf of the Local Government.

(2) The Legal Adviser appointed or Advocate engaged shall not, without seeking prior approval of the local government concerned, make a statement before any court, tribunal or authority that may amount to admission, compromise, and adjustment of claim or materially affect the case of the local government.

(3) If a statement is made in violation of sub-rule (2), a Legal Adviser or an advocate, as the case may be, shall be personally responsible to the local government concerned for any loss caused to it by such statement.

(4) For this purpose, the local government concerned shall make a reference to the Secretary, Ministry of Law & Justice, Government of Pakistan, against the Legal Adviser or Advocate, as the case may be.

(5) On receipt of reference, unless rejected summarily, the Secretary, Ministry of Law & Justice, Government of Pakistan, shall appoint an enquiry officer to conduct the enquiry and submit his findings within thirty days including as to the loss, if any, caused to the Local Government by such statement and proposing the action to be taken against the delinquent Legal Adviser or Advocate, as the case may be.

(6) The Secretary, Ministry of Law & Justice, Government of Pakistan, shall, after affording the Legal Adviser or Advocate, as the case may be, an opportunity of being heard in person, decide the reference and his decision thereon shall be final.

6. **Remuneration.**—(1) Subject to these rules, a Legal Adviser shall be paid such remuneration as may be fixed by Government.

(2) Save as provided in sub-rule (4) of rule 8, the remuneration shall be fixed on monthly retainerhip fee or salary and shall not be on case-to-case basis.

7. **Tenure.**—A Legal Adviser shall be appointed for two years:

Provided that the same person may again be appointed as a Legal Adviser in accordance with these rules.

8. **Number of Legal Advisers.**—(1) Except with the prior approval of the Government a local government shall not have more than one legal adviser.

(2) Where a Local Government has more than one Legal Adviser, one of them shall be designated, with the approval of the Government, as the Senior Legal Adviser and the others shall work under his instructions.

(3) If the circumstances of a local government so require, it may, with the prior approval of Government, have separate Legal Advisers for High Court and Supreme Court.

(4) If a local government does not have adequate number of court cases justifying the appointment of a Legal Adviser on regular basis, or if any case of particular importance requires the engagement of a Special Advocate, it may engage advocates on case-to-case basis with the prior approval of Government and on such terms and fees as may be fixed by Government.

9. **Vacation of office.**—(1) The office of a Legal Adviser shall stand vacated on the expiry of the term for which he had been appointed.

(2) Notwithstanding anything contained in sub-rule (1) the services of a Legal Adviser may, at any time, be dispensed with by Government under intimation to the local government concerned on service of one month's notice or payment of remuneration for the said period and a Legal Adviser may give up his appointment likewise.

10. **Transition.**—Where vacancy of the post of a Legal Adviser occurs on the expiry of his tenure or otherwise, he may, subject to the approval of Government continue to serve or the Government may appoint an interim Legal Adviser, pending appointment of Legal Adviser through the procedure herein contained, for such period and on such terms and conditions as may be determined by Government.

11. **Submission of periodic statement.**—A Local Government shall forward to Government, on quarterly basis, a statement showing the progress of the cases dealt with by its Legal Advisers or Advocates engaged by it.

12. **Bar against appointments.**—No Local Government shall appoint a Legal Adviser or engage an advocate save in accordance with these rules.

13. **General supervision.**—The Government may issue instructions or directions generally or to a Local Government specifically on matters relating to the appointment, functions and duties of Legal Advisers in respect of a case or cases generally, or may call for information in connection therewith as it may deem appropriate. The instructions or directions shall be complied with by the local government concerned.

S.R.O. 73(I)/2021.—The following draft of the Islamabad Capital Territory Local Government (Fees for Licensing and Permits and Licensing of Professions and Vocations) Rules, 2021 which is proposed to be made by the Government in exercise of the powers conferred by section 117 of the Islamabad Capital Territory Local Government Act, 2015 (X of 2015), is hereby published, as required by the aforesaid section for the information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of this publication will be taken into consideration.

1. **Short title and commencement.**—(1) These rules may be called the Islamabad Capital Territory Local Government (Fees for Licensing and Permits and Licensing of Professions and Vocations) Rules, 2021.

(2) They shall come into force at once.

2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context—

(a) “Act” means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015); and

(b) “professions and vocations” include all trades for which a license or permit is required under the Act.

(2) All other words and expressions used herein but not defined shall have the same meanings as are assigned to them under the Act.

3. **Power to issue licenses or permits.**—The Local Governments at the levels of the Union Councils and the Metropolitan Corporation shall issue licenses or permits as indicated below, namely:—

(a) **Union Council.**—The Union Council concerned shall levy fees for licensing of the following professions and vocations, namely:—

(i) butchers and vendors of poultry, game or fish;

(ii) persons keeping milch cattle or milch goats for profit;

- (iii) persons keeping any animal for profit other than milch cattle or milch goats;
- (iv) dairymen, buttermen and vendors of ghee;
- (v) vendors of fruit or vegetables;
- (vi) washermen;
- (vii) vendors of wheat, rice and other grains or flour;
- (viii) makers and vendors of sweetmeats;
- (ix) barbers and keepers of shaving salons;
- (x) operating or running bake houses;
- (xi) electroplating;
- (xii) welding;
- (xiii) storing, processing, cleaning, crushing, melting, preparing, or manufacturing by any process whatsoever or dealings in bones, tallow, offal, fat, blood, soap, raw hides and skins, candles, manure, catgut and oil cloth;
- (xiv) manufacturing of oils;
- (xv) washing or drying wool or hair;
- (xvi) cleaning or grinding of grain or chilies by any kinds or class of machinery;
- (xvii) keeping animals likely to create nuisances;
- (xviii) fellmongering;
- (xix) wholesale storing, cleaning, pounding and selling of tobacco except storing of tobacco required for the preparation of biddies, cigars or cigarette;
- (xx) manufacture of safes, trunks and boxes; and
- (xxi) glass levelling and polishing.

- (b) **Metropolitan Corporation.**—The Metropolitan Corporation shall levy fees for issue of licenses or permits for the following trades; namely:—
- (i) ice factories and ice-cream factories;
 - (ii) the business of storing or selling timber, firewood, coal, charcoal and coke, hay, straw, matches, explosives, petrol, oil, lubricants, paper and other dangerous materials;
 - (iii) sugar refining and sugar refineries;
 - (iv) preparation of aerated water;
 - (v) storing, packing, pressing, cleaning, preparing, or manufacturing by any process whatever, blasting power, ammunition, fireworks, gun powder, sulphur, mercury, gases, gum, cotton, saltpeter, nitro-compounds, nitro-mixtures, phosphorous or dynamite;
 - (vi) cleaning, dying, preparing, or manufacturing by any process whatever, cloth or yarn in indigo and other colors;
 - (vii) making or manufacturing bricks, surkhi, tiles, by any process of baking or burning;
 - (viii) casting of heavy metals such as iron, lead, copper and brass;
 - (ix) dealing in chemicals, liquid or otherwise;
 - (x) operating or running tin factories;
 - (xi) marble cutting and polishing;
 - (xii) manufacture of cement and home pipes;
 - (xiii) storing, packing, pressing, cleaning, preparing or manufacturing by any process whatever, rags, pitch, tar, turpentine, demmar, coconut, fiber, flax, hemp, rosin, or spirit;
 - (xiv) tanning, pressing or packing of hides or skin raw or dry;
 - (xv) working of power looms, rice-husking plants, stems whistle, steam trumpet;

- (xvi) vendors of medicines, drugs or articles of fruit for human consumption other than milk, butter, bread, biscuits, cake, fruit, vegetables, aerated water, or ice or ice cream; and
- (xvii) burning or grinding of lime or metal stone, or storing for sale.

4. **Fees for the licenses or permits.**—A Local Government may charge fees for the licenses or permits granted by it. The Local Government shall levy the fees after approval by the concerned Union Council or the Metropolitan Corporation as per procedure laid down in the Islamabad Capital Territory Local Government (Taxation) Rules, 2021.

5. **Procedure to grant licenses or permits.**—The Local Governments shall specify the procedure for granting licenses or permits through bye-laws which shall be notified after approval of the concerned Local Government.

**“The Islamabad Capital Territory, Metropolitan Corporation Islamabad
(Conduct of Business) Rules , 2021”,**

S.R.O. 74(I)/2021.— The Federal Government of Pakistan has proposed the following draft of the Rules called “The Islamabad Capital Territory, Metropolitan Corporation Islamabad (Conduct of Business) Rules , 2021”, which is proposed to be made by the Government in exercise of the powers conferred by Section 117 of the Islamabad Capital Territory Local Government Act, 2015 (No. X of 2015), is hereby published, as required by the aforesaid section for information of all persons likely to be affected thereby and notice is hereby given that objections and suggestions received within fifteen (15) days from the date of publication shall be taken into consideration.

PART-A

GENERAL

1. **Short title and commencement.**—(1)These rules may be cited as the ICT, Metropolitan Corporation Islamabad (Conduct of Business) Rules, 2021.

- (2) They shall come into force at once.

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

- (a) **“Act”** means the Islamabad Capital Territory Local Government Act, 2015 (X of 2015); under ICT Act, LGA Act 2015 or

- (b) **“Bye-laws”** mean the bye-laws made by Metropolitan Corporation Islamabad (MCI) under section 118 of the Act; CDA Ordinance, 1960 or MAO, 1960
 - (c) **“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 with it;
 - (d) **“Chief Officer”** means Chief Officer of Metropolitan Corporation, Islamabad;
 - (e) **“Deputy Mayor”** means Deputy Mayor of Metropolitan Corporation Islamabad;
 - (f) **“Director”** means a Director of MCI. “
 - (g) **“Directorate”** means a functional department of the MCI headed by a Director
 - (h) **“Government”** means the Federal Government; i.e. (Federal Cabinet).
 - (i) **“House”** means the elected body of Metropolitan Corporation Islamabad;
 - (j) **“Mayor”** means Mayor of Metropolitan Corporation Islamabad;
 - (k) **“Metropolitan Corporation”** means Metropolitan Corporation, Islamabad;
 - (l) **“Metropolitan Offices”** mean metropolitan offices of Metropolitan Corporation Islamabad including Planning, Finance, Municipal Regulation, Municipal Infrastructure, Administration, Municipal Services, Health Services or any other office(s) as may be notified by the Government;
 - (m) **“Local Government Commission”** means a Commission appointed by the Government under section 95 of the Act; and
 - (n) **“Schedule”** means a Schedule appended to these rules.
- (2) Words and expressions used but not defined in these rules shall have the same meanings as are assigned to them under the Act.

PART-B

CONDUCT OF BUSINESS

3. Executive Authority and Conduct of Business.—(1) The Executive Authority of Metropolitan Corporation shall vest in and be exercised by its Mayor.

(2) If the Mayor is unable to perform his functions on account of absence or for any other reason, the Deputy Mayor, and in case there are more than one Deputy Mayor, the Deputy Mayor who is senior in age, shall perform the functions of the Mayor.

(3) All executive actions shall be expressed to be taken in the name of the Metropolitan Corporation.

(4) Subject to the provisions of the Act and the rules framed there under, every order, instrument, agreement or contract shall be made in the name of Metropolitan Corporation Islamabad and shall be executed by the officer authorized for the purpose.

4. Organization of Metropolitan Offices.—(1) Metropolitan Corporation shall be organized as shown in Schedule-I.

(2) Each Municipal Office shall consist of Metropolitan Officers and such officials as the Government may determine.

(3) The Chief Officer in consultation with Mayor shall distribute the work among the offices, sub-offices and branches of Metropolitan Offices, if not provided in the Schedule.

(4) Chief Officer shall supervise the work assigned to the offices, sub-offices and branches of Metropolitan Offices under his control.

(5) Provided that in the event of absence of the Chief Officer due to his transfer the case for posting of a regular Chief Officer shall be initiated without any delay.

(6) In absence of a Metropolitan Officer, the Mayor may, in consultation with the Chief Officer, assign the additional charge of the post of the Metropolitan Officer to any other Metropolitan Officer or any other officer of the Metropolitan Corporation.

Explanation: For the purpose of this rule, the absence of Chief Officer or Metropolitan Officer means leave of the officer for more than 10 days or relinquishment of his charge of the post due to his transfer or any other reason, owing to which he could not perform his duties.

5. Allocation of Business.—The business of Metropolitan Corporation shall be executed by the Metropolitan Offices in the manner indicated in Schedules-II of these rules.

6. General procedure for disposal of business. (1) Instructions as to the manner of disposal of the business of Metropolitan Corporation shall be issued by the Chief Officer with the approval of Mayor.

(2) If any doubt arises as to the Metropolitan Office to which a case pertains, the matter shall be referred to Chief Officer, who shall decide and issue the decision after the approval of the Mayor.

(3) All orders shall be made in writing. Where a verbal order is made, the officer receiving the order shall record it in writing and shall forward it through proper channel to the authority making the said 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.

7. Manner of submission of cases.—(1) When a case is required to be submitted to the Chief Officer, it shall be the responsibility of the Metropolitan Officer concerned to ensure that all relevant papers, references and extracts of the laws and rules and a definitive proposal for approval are submitted along with the case for quick disposal.

(2) In the note, the Metropolitan Officer concerned shall certify that all the relevant papers required for the disposal of the case have been submitted and the case is file is submitted after completing all legal and codal formalities.

(3) All files and records shall be kept and maintained by the Metropolitan Office concerned.

(4) Any officer who notices any tampering of record by his staff or colleague, he shall bring it to the notice of the Chief Officer for an appropriate action against the official responsible.

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

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

(7) Proper decorum shall be observed and respectful language shall be used on commenting upon the notes recorded in official correspondence.

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

8. 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 of the Metropolitan Corporation. 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 each month and submitted to the Chief Officer. Reasons for delay in the disposal of such cases shall be recorded.

9. Consultation among municipal offices.—(1) 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.

(2) In the event of difference of opinion amongst the offices, the Metropolitan Officer concerned shall refer the case to the Executive Committee constituted under rule 12 through Chief Officer.

(3) No orders shall be issued nor shall the case be submitted to the Mayor until it has been considered by all the offices relevant to the case concerned:

Provided that in cases of urgency, and with the approval of the Mayor, 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.

(4) A Metropolitan Officer may ask through Chief 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 Metropolitan Officer has submitted a case directly to Mayor for any cogent reason, to be recorded in writing, he shall after recording his decision return the case through the Chief Officer.

(6) In case the Chief Officer considers that the proposal of the Metropolitan Officer or the decision of the Mayor is against the policy of the Government or is contrary to the laws or rules for the time being in force, he shall refer the case to the Government for decision; and

(7) The Chief Officer may ask for any case of any Metropolitan office and the concerned Metropolitan office shall be bound to submit the case to Chief Officer.

10. Reference to the Mayor.—(1) No order regarding the Metropolitan Corporation shall be issued without the approval of the Mayor in cases involving important policy or departure from important policy or cases enumerated in Schedule-III.

Explanation: Departure from policy includes departure from a previous decision of the Mayor.

(2) The Mayor may require any case to be submitted to him for information.

11. Consultation with Metropolitan Office (Finance). No Metropolitan Office shall, without previous consultation with the Metropolitan Office Finance, authorize any order which, in particular, involves:

- (i) 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;
- (ii) expenditure for which no provision exists;
- (iii) levy of taxes, fee, rate, toll, charge or surcharge specified in the Fourth Schedule of the LG Act, 2015;
- (iv) supplementary grant or re-appropriations within budget grants; and

12. Executive Committee.—(1) There shall be an Executive Committee comprising of Chief Officer as its Convener and all other Metropolitan Officers as 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 Metropolitan Corporation, to provide avenue for the consideration of matters of common interest and to tender advice in any case that may be referred to the House or the Mayor.

(2) The Chief Officer shall ensure that at least one meeting in a month is convened.

(3) A Metropolitan Officer, who wishes a particular matter to be discussed in the Executive Committee meeting, shall request the Chief Officer of his intention of doing so and forward ten copies of a brief note which would form the basis of discussion.

(4) The Chief 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.

(5) Minutes of the meeting shall be recorded by an officer nominated by the Chief Officer.

(6) The minutes shall be circulated after the approval by the Chief Officer.

(7) In the event of a split opinion on any issue amongst the members of the Executive Committee, the case shall be submitted to Mayor through the Chief Officer for decision. The Chief Officer shall forward the reference with his comments to the Mayor within three working days.

PART-C

FINANCE AND HUMAN RESOURCE MANAGEMENT

13. Schedule of Establishment.—The Government shall approve the Schedule of Establishment of Metropolitan Corporation.

14. Operation of accounts of Local Fund.—Accounts of Metropolitan Corporation shall be operated in such manner as notified by the Government.

15. Financial Powers.—Financial powers of the officers of Metropolitan Corporation shall be exercised as notified by Finance Division as per Financial Control of Budgeting for Government Departments.

16. Posting and transfers.—The Authority for posting and transfers of officers /officials within the Metropolitan Corporation shall be as follow:

Category of Officers/ Officials	Authority
BPS-18 and above (Except Chief Officer and Metropolitan Officers)	Mayor
BPS-10 to BPS-17	Chief Officer
BPS-1 to BPS-9 (Staff working in the office of Metropolitan Officer)	Metropolitan Officer Concerned

17. Appointments and Promotions. Appointments and promotions of the employees of Metropolitan Corporation shall be processed and made according to the Rules applicable to such category of employees in Federal Government.

18. Performance Evaluation.—The Annual Performance Evaluation Reports of officers and officials of Metropolitan Corporation shall be written in such form and by officers as notified by the Government from time to time.

19. Service Record.—The Human Resource Management Section of Metropolitan Corporation shall be responsible to maintain the service record and performance evaluation reports of all employees of Metropolitan Corporation.

20. Appointments and Promotions.—Appointments and promotions of the employees of local government shall be processed and made in accordance with the rules.

21. Disciplinary Actions.—Disciplinary action against the employees of local government shall be processed and taken in accordance with the relevant law or rules of Federal Government.

22. Conflict of Interest.—(1) No employee shall deal with a case relating to his own conduct, promotion, transfer, pay & allowances.

(2) No authority shall accord sanction for any payment, directly or indirectly, to its own advantage including sanction of claims pertaining to traveling Allowance, reimbursement of Medical charges, Honorarium, arrears of pay and other similar matters.

PART-D

MISCELLANEOUS PROVISIONS

24. Protection and communication of official information.—Detailed instructions shall be issued by the Chief Officer with the approval of the Mayor for the treatment and custody of official documents, computer diskettes and information of a confidential character in line with the Government policy from time to time.

25. Dissemination of information.—(1) Metropolitan Corporation shall develop and launch its own website to provide on line services to the residents of Islamabad.

(2) Metropolitan Corporation shall, on quarterly basis, publish on its website or at prominent place information about the staffing and the performance of its offices during the preceding three months.

26. Recovery of Financial Loss.—(1) In case of any financial loss, duly verified by the Audit Authorities and fixation of responsibility, the concerned officer(s) and official(s) of Metropolitan Corporation shall be held responsible and the Government, after affording an opportunity of personal hearing, coupled will enquiry shall pass an order to recover such amount.

27. Weeding of records.—(1) Records of Metropolitan Corporation shall be scrutinized and weeded out by an officer deputed by the Chief Officer for the purpose.

(2) The instructions of the Government for weeding out records and classification of files shall be applicable to the records of Metropolitan Corporation.

(3) The Chief Officer shall organize a Central Record Room where record of permanent nature shall be retained and preserved.

(4) Metropolitan Corporation may gradually switch over to electronic record keeping.

28. Approach to public representatives in service matters.—No employee of the Metropolitan Corporation shall bring or attempt to bring any outside influence, directly or indirectly, to bear on Mayor or an officer / official of Metropolitan Corporation, in respect of any matter relating to the appointment, promotion, transfer, punishment or other service matters.

29. Dealing with the public representatives and visitors. —(1) All officers and officials working in Metropolitan Corporation shall use polite language while dealing with the public representatives and visitors in their offices.

(2) All offices of the Metropolitan Corporation shall have timings for public dealing. All concerned officers and officials shall remain available during the public dealing time for quick and efficient service.

(3) The Chief Officer and the Metropolitan Officer concerned with the matter in hand shall be responsible for ensuring that citizens do not face any inconvenience.

30. Reporting.—The Mayor shall place the annual performance report on the working and achievements of Metropolitan Corporation before the House for information and to the Government.

31. Reference to Local Government Commission. (1) The Chief Officer shall bring into notice of Mayor in writing any order passed by the later or a resolution passed by the House which is contrary to any law, rules or policy of the Government applicable at the time or in case of any instance of conflict of interest.

(2) If no corrective measures are taken within fifteen days by the Mayor or within thirty days by the House from the date of issuance of this reference, the Chief Officer or his successor in interest shall refer the matter to the Local Government Commission under intimation to the Government:

Provided that it shall be the responsibility of outgoing Chief Officer who initiated the proceedings as mentioned in sub-rules (1) and (2) above, to inform his successor in writing.

32. Inspection by Mayor.—(1) The Mayor shall in each quarter, inspect the working of municipal offices in the local government with special focus on the following areas:—

- (i) Status of service delivery against the key performance indicators;
- (ii) Execution of the annual development plan;
- (iii) Enforcement of municipal offences
- (iv) Adherence to the law, rules, bye-laws, standing instructions, orders and directives;
- (v) Recovery of own sources revenue and overall financial position of the local government.
- (vi) Recovery of revenue in arrears
- (vii) Office management, discipline and overall functioning of the local government.
- (viii) Maintenance and management of immovable and movable property of the local government
- (ix) Contract management
- (x) Conduct Inspections of Municipal Offices functioning under the Metropolitan Corporation
- (xi) Expeditious disposal of public complaints and
- (xii) Such other areas as the Mayor determine.

33. Inspection by the Chief Officer. (1) The Chief Officer shall inspect the working of offices in Metropolitan Corporation on quarterly basis, with special attention to the following areas:—

- (i) Adherence to the rules, regulations, standing instructions, orders and directives;
- (ii) Status of service delivery;
- (iii) Security arrangements;

- (iv) Office management and discipline;
- (v) Disposal of complaints; and
- (vi) Maintenance and management of property, equipments, machinery, vehicles, fumigants, stationery, furniture & fixture and public complaints.

(2) The Chief Officer shall submit inspection report to the Mayor along with specific recommendations for taking appropriate measures to address the issues pointed out in the inspection report.

(3) The concerned Metropolitan Officer shall take necessary measures in line with the directions of Chief Officer during inspection, and subsequent directions of the Mayor if any, under intimation to the Chief Officer.

34. Inspections by the Local Government Commission.—(1) The Chief Officer shall provide all the necessary support to the Inspection Team deputed by the Local Government Commission while conducting annual and special inspections of the Metropolitan Corporation.

(2) The offices of Metropolitan Corporation shall provide all the necessary assistance and relevant documents to the Commission promptly under intimation to the Chief Officer and Mayor.

35. Delegations of powers.—The Principal Accounting Officer is Chief Officer.

36. Appeals.—(1) Except as otherwise provided in the Act or the rules framed there under an appeal from an order of the authority specified in column-2 of Schedule-IV annexed to these rules, shall lie to the Appellate Authority specified in column-3 thereof.

(2) An appeal shall be preferred within thirty days from the date of the order.

Explanation:

- (a) In computing the period of limitation prescribed for an appeal, the time required for obtaining a certified copy of the order appealed shall be excluded.
- (b) An appeal may be admitted after the prescribed period of limitation if the Appellate Authority is satisfied that Appellant had sufficient cause for not preferring the appeal within such period.

(3) Every appeal shall be referred in the form of a memorandum and shall be presented to the Appellate Authority or an officer authorized by it in this behalf, by the appellant personally or through his authorized agent or by registered post.

(4) Every appeal received by an Appellate Authority shall be entered in a register of appeals in Schedule-V appended to these rules.

(5) An appeal shall, as far as possible, be decided within ninety days of its filing and the decision of the Appellate Authority shall be final.

(6) Government may transfer an appeal pending before any Appellate Authority specified in Schedule IV to any other officer of higher or equivalent status and he shall exercise all the powers of the Appellate Authority for the purposes of such appeal.

37. Complaint Cell.—Metropolitan Corporation shall set up a complaint cell for readdresses of grievances within the ambit of its responsibilities under the Act.

38. Channel of correspondence.—Correspondence with Government shall ordinarily be conducted by the Chief Officer.

39. The Metropolitan Corporation may sign independently a Memorandum of Understanding (MoU) with any international development agencies, local and international corporations, authorities, companies, enterprises, NGOs and INGOs etc. The copy of the same shall be shared with the government.

[F. 1/2/2020-(MCI).]

YAWAR HUSSAIN RANA,
Section Officer (MCI).

SCHEDULE-I
(See Rule 4)

ORGANIZATION CHART OF METROPOLITAN CORPORATION

