

THE PUNJAB PRIVATE HOUSING SCHEMES AND LAND SUB-DIVISION RULES 2010

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TEXT

¹THE PUNJAB PRIVATE HOUSING SCHEMES AND LAND SUB-DIVISION RULES 2010

GOVERNMENT OF THE PUNJAB LOCAL GOVERNMENT AND COMMUNITY DEVELOPMENT DEPARTMENT

NOTIFICATION

Dated Lahore, the 13th March, 2010

No.SOR(LG)38-2/2004-P. In exercise of the powers conferred under section 191 of the Punjab Local Government Ordinance, 2001 (XIII of 2001), the Governor of the Punjab is pleased to make the following rules:

CHAPTER I INTRODUCTION

1. **Short title, extent and commencement.**— (1) These rules may be cited as the Punjab Private Housing Schemes and Land Sub-division Rules 2010.
(2) These shall come into force at once.
2. **Definitions.**— In these rules:
 - (i) “Authority” means a governing body of a development authority established under the law for the time being in force;
 - (ii) “chamfer” means the flat surface made by cutting of sharp-edge or corner of a plot to enhance the visibility at the turning point;
 - (iii) “company” means a company registered under the Companies Ordinance, 1984(XLVII of 1984);
 - (iv) “competent authority” means the authority competent to approve a private housing scheme, a farm housing scheme and land sub-division;
 - (v) “controlled area” means the area notified by a Development Authority as the controlled area under section 18 of the Lahore Development Authority Act 1975 or under section 17 of the Development of Cities Act 1976;
 - (vi) “conversion charges” means the charges levied by a local government or Development Authority concerned for conversion of land use;
 - (vii) “cooperative society” means a society registered under the Cooperative Societies Act, 1925(VII of 1925);
 - (viii) “Council” means a Zila Council, Town or Tehsil Council;
 - (ix) “developer” means a company or a cooperative society or a firm or an owner of land who intends to develop a scheme or who has developed a scheme after approval²[;]
 - (x) “Development Authority” means a Development Authority established under Lahore Development Authority Act, 1975(XXX of 1975) or under the Punjab

- (xiii) "farmhouse" means a dwelling place attached to a farm on a plot not less than four kanal;
- (xiv) "Government" means the Government of the Punjab housed in the Local Government and Community Development Department;
- (xv) "Horticulture" means the art or practice of garden cultivation, tree plantation, arranging of grass and flower beds;
- (xvi) "Infrastructure" means the services including road network, water supply, drainage and sewerage system, telephone, gas, cable and power lines;
- (xvii) "kanal" means a size of land equal to twenty marlas;
- (xviii) "landscape plan" means a plan showing visible feature in an open space in a scheme such as walkway, green area, fountain, flower bed, grass and trees;
- (xix) "land sub-division" means sub-division of a plot into two or more plots in an approved housing scheme or sub division of land into two or more plots in other areas;
- (xx) "local government" means a City District Government, a District Government, a Town Municipal Administration, or Tehsil Municipal Administration;
- (xxi) "low income group" means a person who has monthly income not exceeding Rs. 15,000/-, duly authenticated by the concerned Union Nazim;
- (xxii) "marla" means a size of land equal to two hundred twenty five square feet in Lahore district and two hundred seventy two square feet in other districts of Punjab;
- (xxiii) "major road" means a road having a right of way of eighty feet or above;
- (xxiv) "master plan" means a land use plan of an area and includes a structure plan, an outline development plan, a spatial plan, peri-urban structure plan, integrated development plan and a metropolitan plan;
- (xxv) "Ordinance" means the Punjab Local Government Ordinance 2001 (XIII of 2001);
- (xxvi) "peri-urban area" means an area that spans the landscape between contiguous urban development and rural countryside with low population density and is predominantly being used for agricultural activity and is likely to be urbanized in the next twenty years;
- (xxvii) "peri-urban structure plan" means a plan indicating the proposed road network and type of development in the peri-urban area in accordance with Land Use Rules 2009;
- (xxviii) "property" means a plot or a building in a scheme;
- (xxix) "public building" includes a dispensary, post office, police station, local government office, educational institution, hospital, clinic, mosque and fire station;
- (xxx) "Land Use Rules 2009" means the Punjab Land Use (Classification, Reclassification and Redevelopment) Rules 2009 notified by the Local Government & Community Development Department and, the Lahore Development Authority Land Use (Classification, Reclassification and Redevelopment) Rules 2009 and the Punjab Development Authorities Land Use (Classification, Reclassification and Redevelopment) Rules 2009 notified by the Housing Urban Development and Public Health Engineering Department;
- (xxx1) "right of way" means the width of road or street between two opposite

3. **Terms not defined.**— A word or term used in these rules but not defined shall have the same meaning as in the Ordinance.

CHAPTER II APPLICATION

- ³4. **Submission of an application.**— A developer shall, before imitating any planning or development activity of a scheme, submit an application for preliminary planning permission for the scheme to:

⁴[(a)] the Development Authority in case the scheme falls in a City District; and
⁵[(b)] in all other cases, to the Tehsil Municipal Administration.]

5. **Attachments with application.**— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall not entertain any application unless accompanied by:

- (a) a certified copy of computerized national identity card of the developer;
- (b) complete mailing address of the developer;
- (c) a copy of recent utility bill for the property mentioned in mailing address as proof of residence;
- (d) a certified copy of certificate of registration of the company or the cooperative society, if applicable;
- (e) a location plan of proposed scheme signed by a Town Planner registered with Pakistan Council of Architects and Town Planners;
- (f) ownership status of proposed land:
 - (i) self owned; or
 - (ii) private land not owned by the developer;
- (g) financial statement of developer (only if the land is not owned) including:
 - (i) bank statement, and
 - (ii) detail of self owned assets;
- (h) if proposed land is not self owned, the financial statement should indicate that enough funds are available to purchase the proposed land ⁶[;] ⁷[and]
- (i) ⁸[a soil investigation report for technical requirements of soil prepared by a consultant engaged by the developer.]

6. **Evaluation criteria for an application.**— A concerned officer of a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall satisfy that:

- (a) application is complete;
- (b) site proposed for scheme fulfills the following requirements:
 - (i) width of access road is not less than sixty feet in the City Districts and not less than forty feet in other cities;
 - (ii) site is not prone to flooding;
 - (iii) area of proposed scheme is not less than hundred kanals;

- (iv) site proposed for scheme is not notified by the Government for acquisition for any other public purpose; and
- (v) scheme proposal is in conformity with an approved master plan if any.

7. Processing of an application.— (1) In case of a Town Municipal Administration, or a Tehsil Municipal Administration—

- (a) a Town Municipal Officer or a Tehsil Municipal Officer shall, within ten days of its submission, forward the application with comments to a District Officer (Spatial Planning);
- (b) a District Officer (Spatial Planning) shall within ten days of receipt, submit the case, with its comments, to the District Planning and Design Committee for scrutiny in accordance with these rules; and
- (c) after the scrutiny a District Officer (Spatial Planning) shall, within five days, intimate the clearance or observations of the District Planning and Design Committee to a Town Municipal Administration, or a Tehsil Municipal Administration;
- (d) a Town Municipal Administration, or a Tehsil Municipal Administration shall, within five days, issue a planning permission or convey observations to a developer.

(2) In case of a development authority:

- (a) a Director dealing with processing of private housing schemes shall, within five days forward the case to Water and Sanitation Agency;
- (b) Water and Sanitation Agency shall, within ten days, issue a No Objection Certificate or convey observations to the Director dealing with processing of private housing schemes;
- (c) a Director dealing with processing of private housing schemes shall, within ten days of receipt of the comments from Water and Sanitation Agency, scrutinize the case in accordance with these rules;
- (d) after scrutiny, a Director dealing with processing of private housing schemes shall, within five days, submit the case to the Director General of the Development Authority for permission to proceed for planning of a scheme or otherwise; and
- (e) a Director dealing with processing of private housing schemes; shall, within five days, issue a planning permission or convey observations of the Director General to a developer.

8. Preliminary Planning permission.— (1) A preliminary planning permission shall:

- (a) be a confirmation that a scheme can be submitted for approval in accordance with these rules;
- (b) be valid for six months from the date of issuance;
- (c) not be a permission to carry out any construction activities at the proposed site; and
- (d) not permit marketing of plots or publicity of the scheme.

(2) Only a developer in whose name a planning permission has been issued shall be entitled to submit the scheme.

CHAPTER III

PLAN AND PLANNING STANDARDS

9. Submission of Plan.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall entertain an application for sanction of a

- (f) topographic survey extended to a depth of one thousand feet around the scheme area; ⁹[and]
- (g) layout plan, super imposed on a khasra plan, with proposed division of scheme into residential and commercial plots, road network, open spaces, graveyard and public buildings prepared and signed by a Town Planner and the owner in accordance with these rules ¹⁰[.]

¹¹[(h) certified title documents having hundred percent ownership rights in favour of the developer.]

(3) The requirements under sub-clauses (c), (d), (e) and (f) above shall be submitted in triplicate.

10. Planning standards for a housing scheme.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall ensure that a housing scheme is planned and sanctioned in accordance with the National Reference Manual on Planning and Infrastructure Standards, prepared by Ministry of Housing & Ministry of Environment Government of Pakistan.

(2) Notwithstanding the generality of the sub-rule (1) above, the developer while planning a housing scheme shall adhere to following requirements:

- (a) open space or park, seven percent and above;
- (b) graveyard, two percent and above;
- (c) commercial area, fixed five percent;
- (d) ¹²[public buildings from two percent to ten percent;]
- (e) maximum size of residential plot one thousand square yards;
- (f) approach road in City Districts not less than sixty feet and approach road in other Districts not less than forty feet;
- (g) ¹³ [internal roads with minimum thirty feet right of way;]
- (h) accommodation of roads proposed in master plan;
- (i) a ten marla plot for solid waste management up to one thousand plots and ten marla plot for every additional one thousand plots;
- (j) twenty percent of the plots in a housing scheme shall be reserved /planned for plots upto five marlas for low income group;
- (k) Location of a tube well, overhead reservoir, pumping station and disposal station to be provided if required by Water and Sanitation Agency;
- (l) site of grid station to be provided if required by WAPDA; and
- (m) green strip under high tension electricity line as per requirements of WAPDA.

11. Planning standards for a farm housing scheme.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall ensure that a farm housing scheme is planned and sanctioned in accordance with the National Reference Manual on Planning and Infrastructure Standards.

(2) Notwithstanding the generality of the sub-rule (1) above, the developer while planning a farm housing scheme shall adhere to following requirements:

- (a) graveyard two percent and above;

- (b) commercial area, maximum five percent;
- (c) open space, public buildings and public utility plots, seven percent and above;
- (d) minimum size of residential plot, four kanal;
- (e) approach road in City Districts not less than sixty feet and approach road in other cities not less than forty feet;
- (f) internal roads with minimum forty feet right of way;
- (g) accommodation of roads proposed in master plan;
- (h) a ten marla plot for solid waste management up to one thousand, plots and ten marla plot for every additional one thousand plots;
- (i) location of a tube well, overhead reservoir, pumping station and disposal station to be provided if required by Water and Sanitation Agency and other agencies;
- (j) site of grid station to be provided if required by WAPDA or other agencies responsible for electricity; and
- (k) green strip under high tension electricity line as per requirements of WAPDA or other agency responsible for electricity.

12. Technical requirements for the layout plan.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall ensure that a layout plan of a scheme is prepared and sanctioned in accordance with the following technical requirements:

- (a) scale of scheme plan 1:1200 to 1:2400;
- (b) scale of location plan 1: 4800;
- (c) size and dimension of each plot;
- (d) chamfering of corner plot by 5x5 feet up to one kanal zone and 10x10 feet for above one kanal zone;
- (e) size and dimension of public buildings and open spaces;
- (f) right of way of road;
- (g) parking area with parking layout;
- (h) dimensions of a scheme boundary;
- (i) boundary of a mouza or a revenue estate;
- (j) number and boundary of each khasra in a mouza;
- (k) area statement and percentage of—
 - (i) residential use;
 - (ii) commercial use;
 - (iii) open space;
 - (iv) road;
 - (v) graveyard;
 - (vi) public building; and
 - (vii) other uses;
- (l) aggregate of various categories of plots with area and, size;
- (m) area of existing graveyard, if any, excluding it from area required for a graveyard

- (t) name of scheme;
- (u) names of the mouzas comprising a scheme; and
- (v) marking of land to be acquired by a developer, if any.

13. Processing of an application.— A Town Municipal Administration, or a Tehsil Municipal Administration or a Development Authority shall not entertain an incomplete application and inform a developer accordingly within five days of submission of application.

14. Scrutiny of land ownership documents.— (1) If a Town Municipal Administration, or a Tehsil Municipal Administration considers an application complete, then:

- (a) a Town Municipal Officer or a Tehsil Municipal Officer shall, within five days of receipt, forward the application, with comments, to a District Officer (Spatial Planning);
- (b) a District Officer (Spatial Planning) shall, within ten days of receipt, submit the case to the ¹⁴[the Additional Collector] for scrutiny of the ownership documents;
- (c) after the scrutiny ¹⁵[the Additional Collector] shall, within ten days, forward any objections or clearance to a District Officer (Spatial Planning);
- (d) a District Officer (Spatial Planning) shall, within five days, forward the objections or clearance to a Town Municipal Officer, or a Tehsil Municipal Officer; and
- (e) a Town Municipal Officer, or a Tehsil Municipal Officer shall, within five days, forward the objections to a developer for re-submission:

(2) If a Development Authority considers an application complete, then:

- (a) a Director dealing with processing of private housing schemes shall, within five days, forward the application to its revenue staff for scrutiny of ownership documents;
- (b) revenue staff of a Development Authority with assistance of a ¹⁶[the Additional Collector] shall, within ten days, scrutinize the ownership documents;
- (c) after the scrutiny revenue staff of a Development Authority shall forward any objections or clearance to a Director dealing with processing of private housing schemes; and
- (d) a Director dealing with processing of private housing schemes shall, within five days, forward the objections to a developer for resubmission.

15. Inviting public objections.— (1) A Town Municipal Officer, a Tehsil Municipal Officer, or a Director dealing with processing of private housing schemes of a Development Authority, after clearance of the ownership documents, shall publish in at least two leading Urdu daily national newspapers and one English daily national newspaper, a Public Notice for inviting objection, in accordance with form A.

(2) Public Notice shall be published at the cost of a developer specifying the following:

- (a) location of the scheme;
- (b) total area of the scheme;
- (c) name and address of a developer;
- (d) list of khasra number along revenue estate or mauza;
- (e) time limit of fifteen days from the date of publication for filling of objections; and
- (f) name and address where objections can be filed.

(3) A Town Municipal Officer, a Tehsil Municipal Officer, or a Director dealing with processing of private housing schemes of a Development Authority shall forward the objections, if

16. Technical scrutiny of layout plan.— (1) In case the objection is regarding ownership of a portion of land included in this scheme, and both the developer and petitioner have the ownership documents, then the disputed land shall be excluded from the scheme.

(2) In a Town Municipal Administration or a Tehsil Municipal Administration, after the scrutiny of the ownership documents and settlement of public objections;

- (a) a Town Municipal Officer or a Tehsil Municipal Officer shall, within ten days, forward the layout with comments to a District Officer (Spatial Planning);
- (b) a District Officer (Spatial Planning) shall within ten days of receipt, submit a layout plan with comments to the District Planning and Design Committee for scrutiny in accordance with these rules;
- (c) after the scrutiny, a District Officer (Spatial Planning) shall, within five days, intimate the clearance or objections of the District Planning and Design Committee to a Town Municipal Administration, or a Tehsil Municipal Administration for further action;
- (d) in case of objection a Town Municipal Officer, or a Tehsil Municipal Officer shall, within five days, forward the objections to a developer for resubmission; and
- (e) in case of clearance a Town Municipal Officer or a Tehsil Municipal Officer shall, within five days, submit the layout to a Council for approval and intimate the developer within five days of approval of the council.

(3) In a Development Authority, after the scrutiny of the ownership documents and settlement of public objections:

- (a) a Director dealing with processing of private housing schemes shall, within ten days, scrutinize a layout plan in accordance with these rules and forward the objections, if any, to a developer for resubmission;
- (b) in case of clearance a Director dealing with processing of private housing schemes shall, within five days, submit the layout plan to a Director General for approval; and
- (c) a Director General shall, within five days, approve the layout plan or pass appropriate orders; and
- (d) a Director dealing with processing of private housing schemes shall intimate the developer within five days of approval of the Director General.

17. Pre-requisites for issuance of sanction of a scheme.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, prior to issuance of sanction for scheme, require a developer to:

- (a) submit a transparency of approved layout plan also indicating the plots proposed to be mortgaged;
- (b) submit a soft copy of approved layout plan geo-referenced with the coordinate system of survey of Pakistan plan;
- (c) deposit scheme approval fee;
- (d) deposit the land use conversion fee, if applicable;
- (e) submit a transfer deed in accordance with Form B for free of cost transfer to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority:

(i) area reserved for road, open space, park and graveyard, solid waste management; and

(ii) one percent of scheme area for public buildings, excluding the area of

(g) submit a no objection certificate from the Environmental Protection Department.

18. Sanction of scheme.— (1) After fulfillment of the above requirements, a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall issue a formal letter of sanction in accordance with Form E.

(2) This letter shall be a formal permission for marketing and sale of the plots in a sanctioned scheme in addition to compliance with marketing requirements under any other law for the time being in force.

¹⁷[(3) If the developer fails to start the development work and sell any of scheme plot in an approved scheme, the development may be allowed, subject to the satisfaction and surety demanded by the competent authority on the payment of prevailing market value of sites reserved for public buildings for Development Authority of Tehsil Municipal Administration, to withdraw the formal letter of sanction by the competent authority of the approved scheme.

(4) The competent authority shall, before approving the withdrawal of the letter of sanction under sub-rule (3) obtain latest complete ownership documents and undertaking of the developer, and issue public notice in two daily newspapers to ensure that no public liability stand against the developer.]

19. Public Notice.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, at the cost of a developer, publish in two Urdu daily national newspapers a public notice in accordance with Form F, giving details of mortgaged plots and salient features of the sanctioned scheme and place the same on the website, if available.

CHAPTER IV

MARKETING AND SALE

20. ¹⁸[**Contents of an advertisement.—** (1) A developer shall not advertise sale of plots or housing units in print or electronic media without a prior no objection certification form the competent authority.

(2) The competent authority may grant no objection certification to a development under sub-rule (1) within fifteen days after fulfillment of conditions prescribed for this purpose.

(3) The advertisement shall contain the following contents:

- (a) total area of the scheme with location plan;
- (b) aggregate of residential and commercial plots;
- (c) detail of mortgaged plots;
- (d) period for completion of development works;
- (e) name of competent authority and sanction number;
- (f) procedure of allotment of plots through balloting or otherwise; and
- (g) detail of plots to be sold.

(4) An information regarding allotment and sale of plots shall be provided periodically by a developer to the competent authority and update it on his website, if required by the competent authority.]

21. Terms and conditions.— In addition to any other terms and conditions a developer shall include the following in application form for allotment of a property that:

- (a) allotted property number shall not be changed without the consent of an allottee;
- (b) a developer shall ensure that an allottee becomes member of a resident association and is bound to pay management and maintenance charges on regular basis;
- (c) allotment of a property shall not be cancelled without reason and intimation to an

liable to pay an amount equivalent to two percent per month of the amount paid by the allottee.

- (f) in case the cancellation of property is due to the non-payment of installment of price of property, one opportunity for making required payment shall be given to an allottee;
- (g) in case of non-payment of development charges, two opportunities for making required payment shall be given to an allottee; and
- (h) in case of cancellation due to default of the purchaser, ten percent price of a property shall be deducted and balance amount to be refunded within six months.
- (i) development charges per plot shall be clearly defined in the terms and conditions and shall not be increased without written permission of a Town Municipal Administration, a Tehsil Municipal Administration of a Development Authority as the case may be.

¹⁹["**21A. Execution of agreement:-** At the time of booking of plots through installments, the developer shall execute an agreement with the purchaser stipulating that on payment of full installment, the developer shall execute the sale deed in favour of the purchaser."]

22. Procedure for disposal of area reserved for two income group.— (1) The plots reserved for low income group shall be allotted on the basis of first-cum-first-serve.

(2) The payment of plot shall be recovered in one year through equal monthly installments.

(3) The plot shall not be sold out by the first occupant before expiry of a period of five years.

CHAPTER V

DESIGN AND SPECIFICATIONS

23. Water supply, sewerage and drainage.— (1) A developer shall:

- (a) engage services of a qualified public health and structural engineers, who shall be member of the Pakistan Engineering Council for preparation of detailed design and specifications of water supply, sewerage and drainage systems;
- (b) ensure that design and specifications are in accordance with law, rules, master plan and guidelines of agency responsible for approval of the same;
- (c) ensure that water supply, sewerage and drainage lines are provided on both sides of a road. If provided only along one side of a road then under ground connections for properties on the other side of road shall be provided before road pavement; and
- (d)²⁰ make security of the layout plan of the scheme and after approval of the scheme, submit the design of services, and thereafter the formal approval letter and approved scheme be released."

(2) A developer shall, in areas where public trunk sewer do not exist, abide by the requirements of Water and Sanitation Agency maintaining a sewerage system and shall ensure disposal of sewage to the satisfaction of Water and Sanitation Agency.

(3) A developer at his cost shall connect sewerage and drainage system of the scheme to a public trunk sewer where-ever available, subject to approval of Water and Sanitation Agency maintaining a sewerage system.

(4) After connecting the system to a public trunk sewer, the same may be taken over by Water and Sanitation Agency for operation, maintenance and billing.

- (d) land use analysis;
- (e) soil test report from the approved laboratory;
- (f) detailed designs and specifications of water supply, sewerage and drainage system;
- (g) number of tube wells, their capacity, chamber design, bore hole detail and connection detail with water supply system, including tube well logs (strata chart), details of tube well machinery and installation detail;
- (h) numbers of over head tank, capacity, design, structure design and design calculation detail along with structural stability;
- (i) design for ultimate disposal of the sewage; and
- (j) location of septic or soakage well, where disposal is not available.

25. Road network.— A developer shall:

- (a) engage services of a qualified civil/structural engineer, who shall be registered with the Pakistan Engineering Council for preparation of detailed design and specifications of road network and bridges;
- (b) submit, within six months of sanction of a scheme, detailed design and specifications of a road network, bridge and foot path;
- (c) ensure that design and specifications are in accordance with law, rules, master plan and guidelines of agency responsible for approval of the same;
- (d) ensure that foot path is provided on both sides of a major road; and
- (e) ensure that service road is provided on both sides of a road with more than eighty feet right of way.

26. Submission of documents.— A developer shall submit four sets of the following documents of an approved scheme to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority:

- (a) sanctioned layout plan;
- (b) location plan;
- (c) topographic survey plan;
- (d) soil test report from an approved laboratory;
- (e) design and specifications for a road network, bridge and foot path in accordance with law, rules, master plan and guidelines of agency responsible for approval of the same;
- (f) geometric design of road network and junction;
- (g) land uses analysis;
- (h) pavement design;
- (i) design of appurtenance arid structure;
- (j) road drainage design;
- (k) landscape design for a road network;
- (l) design of street furniture and fixtures; and
- (m) detail of traffic control devices.

27. Processing of documents.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall forward within a week the above documents to

(4) If satisfied, the concerned agency shall within fifteen days of resubmission, convey the approval of the documents to a developer under intimation of a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority.

(5) A developer shall submit a soft copy of approved documents to the concerned agency. Soft copy of the approved layout plan of infrastructure services of the scheme shall be provided separately.

28. Landscape plan.— A developer shall, within one year of the sanction of a scheme, submit to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority a landscape plan for parks, open spaces.

29. Solid waste management plan.— A developer shall, within one-year of the sanction of a scheme, submit to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority a solid waste management plan. It shall include a plan showing location of proposed dust bins, storage places and collection and disposal of solid waste system.

30. Electricity and street light plan.— (1) A developer shall:

(a) prepare design and specifications of electricity and street light in accordance with law, rules, master plan and guidelines of Local Government responsible for approval of the same;

²¹(aa) A developer shall install/provide energy efficient lights for street/public lighting as may be specified by approving authority/agency/department at the time of approval;

(b) submit, within one year of the sanction of the scheme, these design and specifications to WAPDA responsible for provision of electricity and street light for approval; and

(c) a developer shall ensure that designs are prepared by an electrical engineer registered with the Pakistan Engineering Council and approved by WAPDA responsible for provision of electricity.

(2) WAPDA shall, within twenty days, convey objections, if any, to a developer under intimation of a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority.

(3) A developer shall re-submit the documents after removing the objections to WAPDA.

(4) If satisfied, WAPDA shall within fifteen days after resubmission, after receipt of fee, convey the approval of the documents to a developer under intimation of a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority.

(5) A developer shall submit a soft copy of approved documents to WAPDA.

31. Gas supply charges.— A developer shall, within one year of the sanction of a scheme deposit charges & costs for the provision of gas (if available in the vicinity) in accordance with the requirements of Sui Northern Gas Company/Sui Southern Gas Company under intimation to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority.

32. Telephone.— A developer shall, within three years of the development of a scheme ensure availability of telephone facilities under intimation to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority.

33. Under ground services.— (1) A developer shall ensure that utility services such as water supply, sewerage, sui gas and cable lines are laid under ground.

(2) In area where topography does not permit laying of under ground services, exemption may be granted by a plan approving agency under intimation a to Town Municipal

- (i) in case of land sub-division; 2 years.
- (ii) in case of housing scheme having an area from 100 kanals to 300 kanals: 3 years.
- (iii) scheme having an area above 300 kanals: 5 years”
- (b) undertake development works after issuance of approval of design and specifications by the concerned agencies; and
- (c) in case of water supply, sewerage and drainage works, intimate name and address of pipe manufacturing factory to Water and Sanitation Agency, which approved design and specification of water supply, sewerage and drainage.

35. Monitoring of development works in a scheme.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall ensure that there is no deviation of the sanctioned scheme plan.

- (2) A local government, which approved design and specification shall:
 - (a) conduct, without prior notice, regular site visits to ensure that development works are in conformity with approved design and specifications;
 - (b) carry out hydraulic tests for sewer and water supply lines;
 - (c) determine testing laboratory, types and number of tests to be performed;
 - (d) complete testing and inspection prior to back filling of trenches and paving road surface;
 - (e) intimate the developer to rectify any deviations from approved design and specifications; and
 - (f) take action against the deviations or violations as per law.
- (3) A developer shall:
 - (a) prior to commencement of development works, inform in writing to an agency which approved design and specifications;
 - (b) engage services of public health , structural and electrical engineers, who are registered with the Pakistan Engineering Council, to ensure quality control and execution of works in accordance with an approved design and specifications; and
 - (c) rectify any deviations from approved design and specifications as intimated under sub-rule (2) clause (e) above; and
 - (d) ²³engage a qualified consultant engineer duly registered with Pakistan Engineering Council for the supervision and checking quality of development work as per specification and design and if the work is not as per specification or approved design, the same shall be brought by competent authority as per approved specifications or design at the cost and expense of the developer.” ; and
- (4) Testing and inspections carried out by a local government, which approved design and specifications shall be at the cost of a developer.
- (5) If a developer fails to develop a scheme within the stipulated period or development works are not in conformity with the approved design and specifications, then:
 - (a) a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority may take over the development works of the scheme;

- (e) ²⁴the competent authority may, on the written request of developer, grant for one time extension irrespective of the time lapsed which shall not be more than two years, and in such a case, the developer shall deposit ten thousand rupees per kanal per annum of the total areas of the scheme.”;

36. Release of mortgaged plots.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall release mortgaged plots, in proportion to development works, on obtaining field report from an agency, which approved design and specifications about the satisfactory completion of work as follows:

- (a) twenty-five percent of mortgaged plots on hundred percent completion of water supply, sewerage and drainage works;
- (b) twenty five percent of mortgaged plots on hundred percent completion of road, bridge and footpath works;
- (c) twenty five percent of mortgaged plots on hundred percent completion of electricity and streetlight net work or on full-payment of charges to WAPDA;
- (d) fifteen percent of mortgaged plots on hundred percent payment of gas charge or on full payment of charges to Sui Gas Northern Company / Sui Gas Southern Gas Company; and
- (e) ten percent of mortgaged plots on hundred percent completion of horticulture and solid waste management works.

37. Release of bank guarantee.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall allow a developer to reduce bank guarantee, in proportion to development works, on obtaining field report from an agency, which approved design and specifications about the satisfactory completion of work as follows:

- (a) twenty five percent of bank guarantee on hundred percent completion of water supply, sewerage and drainage works;
- (b) twenty five percent of bank guarantee on hundred percent completion of road, bridge and footpath works;
- (c) twenty five percent of bank guarantee on hundred percent completion of electricity and streetlight net work;
- (d) fifteen percent of bank guarantee on hundred percent payment of gas charges; and
- (e) ten percent of bank guarantee on hundred percent completion, of horticulture and solid waste management works.

CHAPTER VII

FEE

38. Fee.— (1) A developer shall deposit a preliminary planning permission fee along with application at the rate of:

- (a) rupees five thousand for scheme having area up to two thousand kanal; and
 - (b) rupees ten thousand for scheme having area above two thousand kanal.
- (2) A developer shall deposit a fee for:
- (a) sanction of a scheme at the rate of rupees one thousand per kanal;
 - (b) approval of design and specifications for water supply, sewerage and drainage at the rate of rupees five hundred per kanal;
 - (c) approval of design and specifications for road, bridge and footpath of a scheme at

valuation table or one percent of the average sale price of preceding twelve months of residential land in the vicinity, if valuation table is not available.

CHAPTER VIII LAND SUB-DIVISION

40. Land sub-division:- A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall allow sub-division of:

- (a) a plot in an approved scheme; and
- (b) a parcel of land which is less than one hundred kanal.

41. Sub-division of a plot in an approved scheme.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, after verification of ownership documents, entertain an application for sub-division of a plot subject to following requirements:

- (a) a developer shall be owner of the plot;
 - (b) a plot shall not be less than one kanal;
 - (c) a one kanal plot in accordance with approved scheme shall only be divided into two plots of ten marla each;
 - (d) a plots of two kanal and above shall only be divided into plots of one kanal or above;
 - (e) in farm housing scheme a sub-divided plot shall not be less than four kanal;
 - (f) if a sub-divided plot is not abutting a road, than a sixteen feet wide access road shall be provided within the original plot; and
 - (g) if more than one sub-divided plots are not abutting a road, than a twenty feet wide access road shall be provided within the original plot.
- (2) A developer shall provide internal infrastructure and services for additional plots.

42. Sub-division of a land in area other than an approved scheme.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, after verification of ownership documents, entertain an application for sub-division of land which is less than one hundred kanal subject to following requirements:

- (a) ²⁵[the land is not prone to flooding;
- (b) the land is not notified by the Government for acquisition for any public purpose;
- (c) the land is locked because it is;
 - (i) surrounded by an existing built up area or an approved housing scheme; and
 - (ii) separated from the built up area by physical barriers;
- (d) a developer does not own additional land in continuation of the land proposed for sub-division;
- (e) a developer shall provide internal infrastructure and services;
- (f) a developer shall provide:-
 - (i) open space or park: seven percent and above;
 - (ii) commercial area: five percent;
 - (iii) public buildings: two to ten percent;

- (viii) location of a tube well, overhead reservoir, pumping station and disposal station to be provided if required by Water and Sanitation Agency or Tehsil Municipal Administration;
 - (ix) green strip under high tension electricity line as per requirements of WAPDA;
- (g) a developer shall get approval of design and specifications of water supply, sewerage, drainage system, electricity and street light network, road network, solid waste management system, in accordance with these rules from the concerned departments;
- (h) a developer shall submit a transfer deed in accordance with Form B, for free of cost transfer to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority:
 - (i) the area reserved for roads, open space, park, solid waste management; and
 - (ii) one percent of the area under land sub-division for public buildings, excluding the area of mosque; and
- (i) a developer shall submit in the name of a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority a mortgage deed of twenty percent of the saleable area, in accordance with Form C, as security for completion of development works.]

43. ²⁶[**Additional requirements for land sub-division.**— (1) The provisions of rules 34, 35 and 36 shall apply, as far as possible, to land sub-division of a parcel of land less than one hundred kanal.

(2) The provisions of Chapter VIII shall not apply to the inherited property to be divided among the legal heirs of a deceased for construction of houses for personal use.]

44. Submission of application for sub-division.— A developer shall submit an application for sub-division of a plot or a land to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority along with the following:

- (a) rupees one thousand as a scrutiny fee;
- (b) a copy of computerized national identity card of a developer;
- (c) title documents;
- (d) non encumbrance certificate issued by a revenue authorities;
- (e) sub-division plan, indicating location of existing buildings;
- (f) location plan in accordance with these rules;
- (g) three sets of sub-division and location plan signed by a developer and a Town Planner; and
- (h) No Objection Certificate from the Environmental Protection Department for land of forty kanal and above.

45. Approval of sub-division of a plot in an approved scheme.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall not entertain an incomplete application and a developer shall be informed accordingly within five days of submission of an application.

- (2) A Town Municipal Officer, a Tehsil Municipal Officer or a Director General of a Development Authority shall, after scrutiny and clearance of ownership documents, approve sub-division after deposit of sub-division fee.
- (3) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall determine appropriate sub division fee.

- (a) a Town Municipal Officer or a Tehsil Municipal Officer shall, within five days of receipt, forward the application with comments to a District Officer (Spatial Planning);
 - (b) a District Officer (Spatial Planning) shall, within five days of receipt, submit the case to the ²⁷[the Additional Collector]for scrutiny of the ownership documents;
 - (c) after the scrutiny a ²⁸[the Additional Collector] shall, within ten days, forward any objections to a District Officer (Spatial Planning);
 - (d) a District Officer (Spatial Planning) shall, within five days, forward the objections to a Town Municipal Officer, or a Tehsil Municipal Officer; and
 - (e) a Town Municipal Officer, or a Tehsil Municipal Officer shall, within five days, forward the objections to a developer for resubmission.
- (3) If a Development Authority considers an application complete, then:
- (a) a Director dealing with processing of private housing schemes shall, within five days, forward the application to its revenue staff for scrutiny of ownership documents;
 - (b) revenue staff of a Development Authority with assistance of a ²⁹[the Additional Collector]shall, within ten days, scrutinize the ownership documents;
 - (c) after the scrutiny, revenue staff of a Development Authority shall forward any objections to a Director dealing with processing of private housing schemes; and
 - (d) a Director dealing with processing of private housing schemes shall, within five days, forward the objections to a developer for resubmission.
- (4) In a Town Municipal Administration or a Tehsil Municipal Administration after the scrutiny of the ownership documents:
- (a) a Town Officer (Planning and Coordination) or a Tehsil Officer (Planning and Coordination) shall, within ten days, scrutinize a sub-division plan;
 - (b) incase of objection a Town Officer (Planning and Coordination) or a Tehsil Officer (Planning and Coordination) shall, within five days, forward the objections to a developer for resubmission; and
 - (c) after the scrutiny a Town Officer (Planning and Coordination) or a Tehsil Officer (Planning and Coordination) shall, within five days, submit a sub-division plan to a Town Nazim or a Tehsil Nazim for approval or passing appropriate orders.
- (5) In a Development Authority, after the scrutiny of the ownership documents:
- (a) a Director dealing with processing of private housing schemes shall, within ten days, scrutinize a sub-division plan; and forward the objections, if any, to a developer for resubmission;
 - (b) in case of clearance a Director dealing with processing of private housing schemes shall, within five days, submit a sub-division plan to a Director General; and
 - (c) a Director General shall, within five days, technically clear the sub-division plan or pass appropriate orders.
- (6) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, prior to issuance of approval for sub-division, require a developer to:
- (a) submit transparency of technically cleared sub-division plan;
 - (b) deposit sub-division fee;

(d) submit a transfer deed in the light of Form B for free of cost transfer to a Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority area reserved for road /open space.

(7) A Town Officer (Planning and Coordination) or a Tehsil Officer (Planning and Coordination) or a Director dealing with processing of private housing schemes of a Development Authority shall, convey the approval of sub-division to a developer on the basis of the technically cleared sub-division plan.

(8) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall determine appropriate sub division fee.

CHAPTER IX

APPEAL

47. Appeal.— (1) An aggrieved person may, within thirty days of cause of action arising under these rules, file an appeal before the following appellate authority:

- (a) Secretary, Local Government and Community Development Department in case of a Town Municipal Administration, a Tehsil Municipal Administration; and
- (b) Secretary, Housing Urban Development & Public Health Engineering Department in case of a Development Authority:

(2) The appellate authority shall, within ninety days from the date of filing of the appeal, decide the same whose decision on such appeal shall be final.

(3) An appeal under these rules shall include:

- (a) an application signed by the appellant;
- (b) a copy of the national identity card of the appellant; and
- (c) any other document relevant to the appeal.

(4) The appellate authority may pass an interim order during the pendency of an appeal.

CHAPTER X

MISCELLANEOUS

48. Transfer of scheme in revenue record.— (1) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, not before twelve months of sanction of scheme and not later than eighteen months of sanction of scheme, shall get the scheme land transferred in the revenue record.

(2) A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall, within nine months of sanction, get land transferred in its name in revenue record as per transfer deed.

49. Management and maintenance of scheme.— (1) After development works are completed and plots are handed over to allottees, plot owners association of a scheme shall be responsible for its management and maintenance.

(2) The plot owners association of scheme shall manage and maintain water supply, sewerage, drainage, street light, electricity, park, road, solid waste and graveyard till such time that these services are taken over by the Government or its agency.

(3) The plot owners association of scheme shall make security arrangements and manage buildings of common use such as mosques and clubs.

(4) The allottees or residents shall contribute proportionately for management and

(2) In case of modification of sanctioned scheme, the public amenity sites like open spaces, public buildings shall not be changed in the revised lay out plan but the site reserved for un-utilized graveyard even if transferred in the name of the Development Authority or the Tehsil Municipal Administration may be substituted with some other equal land in the revised lay out plan and the developer shall incur the cost on transfer on of such land.

(3) In case the development period of a sanctioned scheme has already expired and a developer submits the revised plan, it shall not be entertained until the developer is granted extension under clause (c) or rule 35.

(4) In case the developer submits the revised plan within the stipulated time period, only the remaining time period shall be allowed for completion of the development works of the scheme.”.

51. Limits of Peri-Urban Area.— No private housing scheme or land subdivision shall be allowed outside peri-urban area.

52. Plot numbering.— A developer shall fix plot numbers in the scheme as per form G.

53. Guide map.— A developer shall display a guide map at an entrance and other prominent locations in a scheme and board at the corner of road indicating plot numbers and name of roads.

54. Fire hydrant.— A developer shall provide fire hydrant on main water lines in open space, commercial center and at regular interval along a road.

55. Tree plantation.— A developer shall plant trees on both sides of a road and in open spaces.

56. Action against illegal schemes.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall take action against illegal housing schemes and against deviations done in sanctioned housing schemes as per law for the time being enforce.

57. Action against violations.— A Town Municipal Administration, a Tehsil Municipal Administration or a Development Authority shall take appropriate action against a developer in case any provision of these rules is violated. The action shall be taken as provided in the law, rules and regulations framed there under.

58. Relaxation of rules.— No provision of these rules shall be relaxed.

³²**[59. Repeal and Savings.-** (1) The Punjab Private Site Development Schemes (Regulations) Rules, 2005 are hereby repealed.

(2) For purposes of finalization of applications for development of private housing schemes in which scrutiny fee under rule 8(4)(i) of the repealed rules had been deposited in bank account of a local government or a Development Authority, the local government or the Development Authority shall, for the disposal of such applications, apply the planning standards contained in the repealed rules.]

Form-A

Punjab Private Housing Schemes and Land Sub-division Rules

2010

(Rule 15)

PUBLIC NOTICE

(Name, location and address of scheme)

The public is hereby informed that M/s

(Name of developer)

(Address of developer)

Has applied to _____ for sanction of a scheme located in mauza
_____ Tehsil _____ district
having a total area of _____ kanal _____ marla _____ marla _____ square
feet.

Detail list of khasra numbers alongwith mauza is:

Any person having objection against sanction of the scheme or title of land may, within fifteen days of publication of this notice, submit the same in writing to undersigned. Any objection filed after due date shall not be entertained. This notice shall not be taken a commitment of _____ for sanction of the scheme.

Name of the officer _____

Designation _____

Address _____

Phone No. _____

Punjab Private Housing Schemes and Land Sub-division Rules

2010

(Rule 17)

TRANSFER DEED

This TRANSFER DEED made at _____ on the _____ day of _____ in year _____ by developer _____ I.D.Card No/s. _____ of the ³³[scheme/land sub-division] Located at Mouza _____ hereinafter called the Transferor;

IN FAVOUR OF

_____ Tehsil Municipal Administration / Town Municipal Administration / Development Authority hereinafter called the "Transferee"

WHEREAS the Transferor is absolute owner with possession of land measuring _____ kanal _____ marla _____ square feet. _____ bearing khasra Nos. _____ in Mouza _____ Tehsil / Town _____ District

AND WHEREAS _____ has approved layout plan of ³⁴[scheme/land sub-division] on land of the Transferor, including the area under revenue paths and water courses measuring a total of _____ kanal _____ marla _____ square feet. A total area of _____ kanal _____ marla _____ square feet (shown in the plan at annex I) is reserved for public use as detailed below and thereafter called the property:

sr. #	public land use	kanal	marla	Sq. Ft
1.	Road			
2.	Park			
3.	Graveyard			
4.	public building			
5.	disposal station and pumping station			
Total:				

1. That the transferor hereby warrants that he / she is the absolute owner of the property and no person whatsoever has any charge, encumbrance, lien or mortgage over the property and same is free there from.
2. That in consideration of public welfare the transferor hereby transfers to the Transferee free of charge all his / her rights, interests, easements, appurtenant hereto in the property and to hold the same to the transferee as absolute and lawful owner.
3. That the Transferor further agrees that all times hereinafter, upon request and at expense of the Transferee, to execute or cause to be executed lawful deed and act whatever for better and more perfectly conveying and assuring the property for the Transferee, its heirs, executors, administrators, assignees as shall be reasonably required by the Transferee and placing it in its possession or same according to true interests and meaning of this Deed.
4. That even after execution of this transfer deed the transferor will be responsible for maintenance of area transferred till such time that the same is taken over by an agency responsible for maintenance.
5. That the transferor shall abide by conditions imposed in the Mortgage Deed.

IN WITNESS WHEREOF the Transferor has as here into set his hand on the day and the year first above written.

THE TRANSFEROR

Signed	
Name	
I.D card No	
Address	

WITNESS 1

Signed _____
 Name _____
 I.D card No _____
 Address _____

WITNESS 2

Signed _____
 Name _____
 I.D card No _____
 Address _____

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Layout plan of scheme

(approved Layout Plan of the scheme showing land transferred through the Transfer Deed)

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Schedule of the property

1. Park and open spaces

Plot Number	Block	Dimension	Area		
			Kanal	Marla	Sq.ft.
Total Area					

2. Public building plots (1%)

Plot Number	Block	Dimension	Area		
			Kanal	Marla	Sq.ft.
Total Area					

3. Graveyard

Plot Number	Block	Dimension	Area		
			Kanal	Marla	Sq.ft.

Number			Kanal	Marla	Sq.ft.
Total Area					

5 . Total area under roads

Kanal	Marla	Sq.feet

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(Rule 17)

MORTGAGE DEED

THIS MORTGAGE DEED is made at _____ on the _____ day of the month of _____ in the _____ year _____ BETWEEN M/S. _____ N.I.C No _____ residing at _____

(hereinafter referred to as the mortgagor which expression, where the context so admits, shall include heirs, executors, administrators, legal representatives, assigns and successors) of the first part AND the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority of the second part.

WHEREAS the mortgagor applied for sanction of _____³⁵[scheme/land sub-division] for an area of _____ kanals _____ marlas _____ sq.ft. bearing _____ khasra Nos. _____

In Mouzas _____ Tehsil _____ District _____

The ³⁶[scheme/land sub-division] is approved and the mortgagor has agreed to mortgage twenty percent (ten percent in case of a farm housing scheme) of the saleable area of the said ³⁷[scheme/land sub-division] with Tehsil Municipal Administration, Town Municipal Administration or Development Authority.

NOW this deed witnesses as follows:

- 1) As a security for provision of development works in the ³⁸[scheme/land sub-division], the mortgagor hereby grants, assures, demises and mortgages to Tehsil Municipal Administration, Town Municipal Administration or a Development Authority following plots.

Table with 4 columns: Plot, Block, Dimensio, Area

Number		n	Kanal	Marla	Sq.ft.
Total Area					

The mortgaged plots are also shown in red color on the ³⁹[scheme/land sub-division] plan at annex C1.

- 2) The mortgagor shall pay stamp duties, registration charges and other incidental expenses for and in connection with this or any other document to be required in respect of redemption of this mortgage deed.
- 3) The mortgagor shall submit and get approved designs of services from the concerned design approving agencies and completes development work within a period of five years after sanction of the ⁴⁰[scheme/land sub-division].
- 4) The mortgagor shall provide paved roads, structure plan roads, sewerage system, drainage system, water supply system, electrification and street lights, horticulture works, solid waste management system, gas etc. within the ⁴¹[scheme/land sub-division].
- 5) The mortgagor or the plot owners shall pay the proportionate cost of construction of trunk sewers, sewerage disposal station on proportionate served area basis as and when demanded by the concerned design approving agency.
- 6) The Tehsil Municipal Administration, Town Municipal Administration or a Development Authority shall release mortgaged plots, in proportion to development works, on obtaining field report from an agency, which approved design and specifications about the satisfactory completion of work as follows:
 - a. twenty five percent of mortgaged plots on one hundred percent completion of water supply, sewerage and drainage works;
 - b. twenty five percent of mortgaged plots on one hundred percent completion of road, bridge and footpath works;
 - c. twenty five percent of mortgaged plots on one hundred percent completion of electricity and streetlight net work;
 - d. fifteen percent of mortgaged plots on one hundred percent payment of gas charges; and
 - e. ten percent of mortgaged plots on one hundred percent completion of horticulture and solid waste management works.
- 7) On completion of development works, the operation and maintenance of the infrastructure, public and utility services in the ⁴²[scheme/land sub-division] shall be the responsibility of the residents and or the plot owners till such time that the same are taken over by the concerned agencies.
- 8) The Tehsil Municipal Administration, Town Municipal Administration or a Development Authority shall not be responsible for undertaking development works

in the ⁴³[scheme/land sub-division]. If the mortgagor fails to do so and the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority decides to undertake development works, the mortgagor will provide additional funds, if so required, for the development works over and above the amount received from the sale of the mortgaged plots.

- 9) If at any stage, the land under the ⁴⁴[scheme/land sub-division] or any part thereof is required by the Tehsil Municipal Administration, Town Municipal Administration, a Development Authority or the Government for any public purpose, the mortgagor or his successor in interest or any other person claiming any right or interest in the said land shall have no objection to its acquisition.
- 10) The plots mortgaged to the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority shall be open to inspection at any time by any officer deputed for the purpose.
- 11) The mortgagor and or all plot owners of the ⁴⁵[scheme/land sub-division] shall pay to Tehsil Municipal Administration, Town Municipal Administration or a Development Authority the Betterment Fee as and when levied.
- 12) The mortgagor hereby covenants with the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority and guarantees that he/she:
 - a. shall from time to time and all times hereafter comply with all rules, regulations and byelaws framed by the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority under the respective laws.
 - b. has exclusive and absolute ownership of the mortgaged property in which no one else has any claim, concern, right or interest of whatsoever nature.
 - c. has a legal right, full power, absolute authority to mortgage such property by way of such mortgage deed.
 - d. has not, prior to the date of these presents, done, made, committed, caused or knowingly done any act under a deed or matter whereby the right to so mortgage has been or may be impaired.
 - e. hereby declares that the property offered as security for provision of development works is free from all sorts of encumbrances, and charges and undertakes that the said property shall not be sold or charged without the prior approval in writing of the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority.
 - f. shall not put the property in any other charge or otherwise transfer the same or any part thereof in any way and would keep and hold the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority secured harmless and indemnified against all losses and damages caused to be suffered or sustained by the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority as a result of any defect in title or any claim or demand preferred by any one with respect to the property or any part thereof.
 - g. shall keep the property mortgaged with the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority as security for the provision of development works to the satisfaction of the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority.
- 13) In case the mortgagor fails to provide the development works as required by the

Municipal Administration or a Development Authority without any further notice to or concurrence on the part of the mortgagor shall be entitled to:

- a. take possession of the mortgaged property.
- b. sell or dispose off the said property or any part thereof together or in parcel on the account and at the risk of mortgagor either privately or by public auction or by private contract on such terms and conditions as the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority shall think fit and proper, without the bid and intervention of a court of law and without prejudice to the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority's rights to execute the necessary sale deed, present it for registration and get the same registered and have the necessary mutation of names entered in the Government, revenue records, and on such transfer the property shall vest in the transferee, all rights in or to the property transferred, as if the property had been sold to the transferee by the owner and for the purpose aforesaid or any of them to make agreements, execute assurance and give effectual receipt for discharges for the purchase money and do all other acts and things for completing the sale, which the person or persons exercising powers of sale shall think proper of the aforesaid power shall be deemed to be a power to sell or concur in selling without the intervention of the court under the transfer of property Act-1882.

14) The mortgagor shall abide by the conditions imposed in the letter of sanction of the ⁴⁶[scheme/land sub-division].

IN WITNESS WHEREOF the mortgagor as here into sets his hand on the day and the year first above written.

Mortgagor

Signed _____
Name _____
I.D card
No _____
Address _____

WITNESS 1

WITNESS 2

Signed _____
Name _____
I.D card
No _____

Signed _____
Name _____
I.D card
No _____

Plot Number	Block	Dimension	Area		
			Kanal	Marla	Sq.ft.

Total Area					

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(Rule 17)

PERFORMANCE AGREEMENT

THIS PERFORMANCE AGREEMENT is made at _____ on the _____ day of the month of _____ in the year _____

BETWEEN

M/S. _____

I.D.Card.No. _____ residing: at: _____

hereinafter referred to as the developer which expression, where the context so admits, shall include heirs, executors, administrators, legal representatives, assigns and successors of the first part AND the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority of the second part.

WHEREAS the developer applied for sanction of _____ scheme for an area of _____ kanals _____ marlas _____ sq.ft.

Bearing khasra Nos. _____ in mouzas. _____

Tehsil _____ District _____ and the scheme is approved. The developer has agreed to submit a bank guarantee equal to the total cost of the provision of development works of the said scheme to the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority.

NOW this Agreement witnesses as follows:

1. That as a security for provision of development works of the scheme, the developer hereby submits to Tehsil Municipal Administration, Town Municipal Administration or a Development Authority a Bank Guarantee for Rs. _____, equal to total cost of provision of development works of the scheme.
2. The developer shall pay all charges for stamp duties, registration charges and other incidental expenses for and in connection with the Performance Agreement and the Bank Guarantee.
3. That the Developer shall get approved designs of services from concerned design approving agencies and will complete development works within a period of five years after sanction of the scheme.
4. The developer shall provide paved roads, structure plan roads, sewerage, drainage

approved design and specifications about the satisfactory completion of work as follows:

- (a) twenty five percent of bank guarantee on one hundred percent completion of water supply, sewerage and drainage works;
 - (b) twenty five percent of bank guarantee on one hundred percent completion of road, bridge and footpath works;
 - (c) twenty five percent of bank guarantee on one hundred percent completion of electricity and streetlight net work;
 - (d) fifteen percent of bank guarantee on one hundred percent payment of gas charges; and
 - (e) ten percent of bank guarantee on one hundred percent completion of horticulture and solid waste management works.
7. On completion of development works in the scheme, the operation and maintenance of the infrastructure, public and utility services in the scheme shall be the responsibility of the residents and or the plot owners till such time that the same are taken over by the concerned agencies.
 8. The Tehsil Municipal Administration, Town Municipal Administration or a Development Authority shall not be responsible for undertaking development works in the scheme if the developer fails to do so and the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority decides to undertake development works the developer shall provide additional funds, if required so, for the development works over and above the amount received from the encashment of the Bank Guarantee, due to increase in cost of the development works.
 9. If at any stage, the land under the scheme or any part thereof is required by the Tehsil Municipal Administration, Town Municipal Administration, a Development Authority or Government for any public purpose, the developer or his successor in interest or any other person claiming any right or interest in the said land shall have no objection to its acquisition.
 10. The developer and or plot owners shall pay to the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority the Betterment Fee as and when levied.
 11. The developer hereby covenants with the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority and guarantees to comply with all rules, regulations and byelaws framed by the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority under the respective laws.
 12. That the developer shall abide by the conditions imposed in the Letter of sanction of the scheme.
 13. The Tehsil Municipal Administration, Town Municipal Administration or a Development Authority may extend the completion date by mutual agreement keeping in view unforeseen circumstances and the Performance Agreement shall be amended accordingly. The validity of the Bank Guarantee shall also be extended and total amount shall be enhanced if cost of development works is expected to increase due to extension in completion date.
 14. If the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority feels that the development works are expected not to be

- a. encash the Bank Guarantee;
 - b. spend the amount encashed on the provision of development works in the scheme through contracts and on such terms and conditions as the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority thinks fit and proper, without the bid and intervention of a court of law and without prejudice to the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority's rights to do all other acts and things for completing the development works.
16. Upon written confirmation by all concerned agencies of the satisfactory completion of all the works as per Performance Agreement, the Bank Guarantee shall be released immediately.

IN WITNESS WHEREOF the developer as here into sets his hand on the day and the year first above written.

Developer

Signed _____
Name _____
I.D card
No _____
Address _____

WITNESS 1

Signed _____
Name _____
I.D card No _____
Address _____

WITNESS 2

Signed _____
Name _____
I.D card
No _____
Address _____

Punjab Private Housing Schemes and Land Sub-division**Rules****2010****(Rule 17)****BANK GUARANTEE****INSTRUCTIONS FOR SUBMISSION OF BANK GUARANTEE**

1. Bank Guarantee is to be executed on Rs, 1000, non judicial stamp papers.
2. Bank Guarantee must accompany a covering letter from the issuing bank.
3. Two additional copies of the Bank Guarantee shall be submitted and each page of the bank guarantee shall be stamped and signed.
4. The Bank Guarantee shall be as per given specimen.

(SPECIMEN)
BANK GUARANTEE

BANKS GUARANTEE N.O _____

DATED _____

AMOUNT _____

EXPIRARY DATE _____

Whereas a Performance Agreement dated _____ has been executed between (Name of the Tehsil Municipal Administration, Town Municipal Administration or a Development Authority) and M/s. (Name of the Developer of the Scheme) for the development of the (Name of the scheme) Scheme as per terms and conditions contained in the said Performance Agreement.

AND WHEREAS you have required the Developer to furnish, a Bank Guarantee equivalent to the amount Rs. (in figures) Rupees (in words).

1. NOW THEREFORE in consideration of the aforesaid we (Name of the Bank) do hereby bind ourselves, unconditionally and irrevocably, and guarantee to pay you the said amount without objection or reservation or any reference to the Developer, within three days of the receipt of the written demand notice, before the expiry of this Bank Guarantee.
2. This Guarantee shall continue to be in full force and operative and binding on us, until all the requirements of the Performance Agreement have been complied with.
3. Any such demand made by you on default by the Developer, shall deemed to be conclusive by the mere fact of placing a demand. We shall be bound to encash this Bank Guarantee on demand.
4. Our obligation under this Guarantee shall not be discharged or affected by:
 - a. Any time or any indulgence given by you to the Developer in respect of any obligation of the Developer under the Performance Agreement.
 - b. Any variation of any provision of the Performance Agreement.
 - c. Any dissolution, winding up or corporate reorganization of the Developer.
 - d. Any transfer or extinguishing of any of the liability of the Developer by any law, regulation, decree, judgment order or similar instrument.
5. Our liability under the Bank Guarantee shall, in any case, not exceed the sum of Rs. (in figures) Rupees (in words).
6. We will be released and discharged of our liability, if no claim is lodged with us on or before (Expiry date of the Bank Guarantee).
7. This Bank Guarantee shall constitute an irrevocable arrangement binding on us and our successor in interest, and shall inure to the benefit of your successor in-interest, assigns under Agreement.

For and on behalf of the bank:

WITNESS 1

Signed

Name

I.D card No

Address

WITNESS 2

Signed

Name

I.D card
No

Address

COVERING LETTER

BANKS GUARANTEE NO _____

DATED _____

AMOUNT _____

EXPIRARY DATE _____

To,

Dear Sir,

As per request of M/s(name of the Developer)_we hereby enclose Bank Guarantee No _____ dated _____ in your favour, the sum of Rs. (in figures) and_(in words) on account of M/s(name of the Developer)_

We, hereby undertake to make an unconditional payment of Rs. (in figures) and_(in words) to you on your first written demand and without recourse to the Developer as per the provisions of Bank Guarantee,

This Bank Guarantee shall remain valid and in full force till the expiry date, after which no claim will be entertained.

Any claim arising t of this Guarantee must be lodged in writing within the validity period of Bank Guarantee, certifying that the Developer has failed to meet the requirements under Performance Agreement.

For and on behalf of the bank:

Seal and signatures of the authorized person

Designation

Punjab Private Housing Schemes and Land Sub-division

Rules

2010

(Rule 18)

From :

To:

SUBJECT: SANCTION OF SCHEME (name and location of scheme)

The scheme plan submitted by you for an area measuring _____ kanals _____ marlas _____ sq.ft in Mouza/s _____

in Tehsil _____ and District _____ has been sanctioned by (Name of Tehsil Municipal Administration, Town Municipal Administration or Development Authority)

This sanction of the scheme is subject to the following conditions:

1. No change in land use of plots will be allowed at later stage in violation of any prevailing Laws for the time being enforce
2. The approval of designs of services such as water supply, sewerage and drainage systems and of roads shall be obtained from the agencies responsible for its approval
3. The approval of design of electrification and street lights shall be obtained from WAPDA or other agency designated for it.
4. The development works in the scheme shall be completed in accordance with the approved designs and specifications.
5. All development works shall be completed within a period of five years from the date of issue of this letter.
6. Construction of buildings shall be undertaken after approval of building plans in accordance with prevailing Building and Zoning Regulations/Bye-Laws.
7. Proportionate cost for the provision of trunk services on proportionate area basis

You will be responsible to settle any dispute about ownership of land if arises at any stage.

11. The plot owners shall pay any betterment charges as and when levied by the concerned agency.
12. In case of any complaint from the plot owners you or plot owners association shall be responsible to settle the issue.
13. You will display a copy of approved scheme plan, a copy of sanction letter and a list of mortgaged plots in your office.
14. You will abide by the terms and conditions of the Transfer Deed and Mortgage Deed/Performance Agreement and Bank Guarantee.
15. No revision in layout plan and design specification etc. to be done without the approval of concerned agency.
16. You will make arrangements to hand over the possession of the areas to (Name of Tehsil Municipal Administration, Town Municipal Administration or Development Authority) as per Transfer Deed.
17. You shall get the approved scheme transferred in revenue record within six months after the sanction of the scheme
18. The advertisement and publicity material shall include:
 - i. Total area and location;
 - ii. Total number of residential and commercial plots of various sizes;
 - iii. detail of mortgaged plots.
 - iv. Period for completion of development works.
 - v. Method of allocation of plot numbers.
19. Sale or commitment of plots over and above the total number of plots provided in the approved scheme is not allowed.
20. Sale or commitment of mortgaged plots is not allowed before their redemption.
21. Full contents of this letter shall be given in the publicity brochure prepared for the sale of plots.
22. You will take up the case regarding the proposed acquisition of land if any with the concerned authority; The Plan approving authority has nothing to do with it.
23. You shall include all the general terms and conditions under these Rules in your application forms.

Name of the officer_____

Designation_____

Address_____

Punjab Private Housing Schemes and Land Sub-division Rules

2010

(Rule 19)

PUBLIC NOTICE

(Name and location of the scheme)

The public is hereby informed through this notice that M/s (Name and Address of the developer) ⁴⁷[has] applied to (Name of Tehsil Municipal Administration, Town Municipal Administration or Development Authority) for sanction of the scheme named (name of scheme) located in mauzas(name of mauzas) in tehsil(name of tehsil) in district(name of district), having a total area of _____ kanals _____ marlas _____sq.ft.

(Name of approving agency) has sanctioned this scheme.

Detail of various categories of plots provided in the scheme is as follows:

Residential	Size of Plots	No. of Plots
-------------	---------------	--------------

Commercial

Others

The public is hereby informed through this notice that the following plots in the scheme have been mortgaged with the (name of approving agency) as security towards provision of development works (provision of roads, water supply sewerage and drainage system, street light and electricity net work, gas facilities and horticulture works). It is the responsibility of the developer of the scheme to provide and complete the development work. The developer cannot sell or transfer these plots until these are redeemed after due completion of the development works. List of mortgaged is as follows;

Number

Kanal Marla Sq.ft.

Total Area

Public is informed through this notice not to enter into any transaction, sale or purchase of the mortgaged plots till they are redeemed.

Name of the officer_____

Designation_____

Address_____

Phone No._____

Punjab Private Housing Schemes and Land Sub-division Rules**2010****(Rule 51)****NUMBERING OF PLOTS AND ROADS****1. NAMING THE BLOCKS**

- i. The scheme may be divided into Blocks keeping in view its area.
- ii. Efforts shall be made to ensure that each Block is bounded in such a way that total numbers of plots in the Block do not exceed 500 or so.
- iii. Boundaries of each Block shall be well defined with a road or prominent physical feature
- iv. These Blocks shall be named or given alphabetical numbers.

2. NAMING THE ROADS

Each road shall be given a name, numerical or alphabetical number for identification

3. NUMBERING OF PLOTS

A particular plot in a street shall be given a unique/specific number. The intention is to make it easier to locate it. There are different systems being followed for numbering of plots, same are summarized below.

Option 1

Odd numbers on the left side, as viewed from the datum point at the start of the road, and even numbers on the right side. Along long roads numbers will typically ascend until the road crosses a junction or reaches the boundary of the next Block.

Option 2

To proceed sequentially along one side of the road and then back down the other, it is a combination of clockwise and anti clockwise system, depending on the layout plan.

Option 3

**Punjab Private Housing Schemes and Land Sub-division Rules
2010**

CHECK LIST FOR SANCTION OF A SCHEME

A-DOCUMENTS REQUIRED	STATUS			
1. Certified copy of national identity card of developer;	YES		NO	
2. Certified title documents including a registry, intiqal, fard, or any other document;	YES		NO	
3. Khasra plan or aks-e-shajra certified by a tehsildar (revenue;	YES		NO	
Topographic survey plan extended to a depth of one thousand feet around the scheme area;	YES		NO	
4. Location plan signed by a town planner;	YES		NO	
5. Layout plan signed by a town planner and developer;	YES		NO	
6. Requirements under (c), (d), (e) and (f) above are submitted in triplicate ;	YES		NO	
7. Details of development works along with time schedule;	YES		NO	
8. Details of land proposed to be acquired, if any, the land proposed to be acquired does not exceed twenty percent of the total area owned by the developer in the scheme; and	YES		NO	

2. Planning permission was issued to the developer;	YES		NO	
3. Is the scheme submitted within the validity period of the Preliminary Planning Permission;	YES		NO	
C-SCRUTINY OF OWNERSHIP DOCUMENTS	STATUS			
1. Ownership documents cleared by the revenue office.	YES		NO	
2. Public notice given for inviting objections.	YES		NO	
3. Objections received, if any, settled by the developer.	YES		NO	
D- SCRUTINY OF SCHEME PLAN	STATUS			
1. scale of scheme plan is correct	YES		NO	
2. scale of location plan is correct	YES		NO	
3. size and dimensions of each plot is given	YES		NO	
4. chamfering of corner plot by 5x5 feet up.to one kanal and 10x10 feet for two kanal and above is done.	YES		NO	
5. size and dimension of public building and open space is given;	YES		NO	
6. right of way of road is written;	YES		NO	
7. parking area with parking pattern is indicated;	YES		NO	
8. dimensions of boundary of scheme is written	YES		NO	
9. boundary of a mouza or a revenue estate and khasras is superimposed on the layout plan;	YES		NO	

(xii) graveyard; (xiii) public building; (xiv) other uses;				
1. aggregate of various categories of plots with area and, size is given;	YES		NO	
2. area of existing graveyard, if any, excluding it from area required for a graveyard is given separately	YES		NO	
3. location of pumping station, if any;is shown	YES		NO	
4. location of overhead tank and tube well is shown;	YES		NO	
5. list of various categories of plots to be mortgaged is given and hatched;	YES		NO	
6. signatures of the developer and a town planner	YES		NO	
7. seal of the approving authority is given	YES		NO	
8. cardinal sign indicating north is shown	YES		NO	
9. name of scheme if any is given;	YES		NO	
10.names of the mouzas comprising a scheme are given; and	YES		NO	
E-PLANNING STANDARDS COMPLIED WITH (HOUSING SCHEME)	STATUS			
1. Open space or park not less than seven percent	YES		NO	
2. Commercial area is five percent	YES		NO	
3. Graveyard not less than two percent	YES		NO	

master plan are accommodated;	YES		NO	
h. A ten marla plot for storage of solid waste provided per thousand plots	YES		NO	
F-PLANNING STANDARDS COMPLIED WITH (FARM HOUSING SCHEME)	STATUS			
1. Graveyard not less than two percent	YES		NO	
2. Commercial area is five percent	YES		NO	
3. Open space or park, Public Buildings, public utility sites not less than seven percent,	YES		NO	
4. Area of residential plot not less than four kanal	YES		NO	
5. Internal roads not less forty feet right of way	YES		NO	
6. Roads proposed in peri-urban structure plan and master plan are accommodated;	YES		NO	
7. A ten marla plot for storage of solid waste provided per thousand plots	YES		NO	
G-PRE-REQUESTES FOR ISSUANCE OF SANCTION OF SCHEME	STATUS			
1. Approved by the competent authority	YES		NO	
2. Submitted a transparency of approved layout plan;	YES		NO	
3. Submitted a soft copy of approved layout plan;	YES		NO	
4. Deposited scheme approval fee;	YES		NO	
5. Deposited the land use conversion fee, if applicable;	YES		NO	
6. Submitted the Transfer Deed	YES		NO	
7. Submitted the Mortgage Deed or a Performance Agreement with a Bank Guarantee	YES		NO	

H- FOLLOW UP ACTIONS	STATUS			
1. Advertisements are as per Rule 20	YES		NO	
2. Terms and conditions as per Rule 21 included in the allotment letter	YES		NO	
3. Designs for Water Supply & Sewerage System Submitted	YES		NO	
4. Designs for Water Supply & Sewerage System approved	YES		NO	
5. Designs for Road network Submitted	YES		NO	
6. Designs for Road network approved	YES		NO	
7. Landscape Design Submitted	YES		NO	
8. Solid Waste Management Plan Submitted	YES		NO	
9. Designs for electricity & Street Light Submitted	YES		NO	
10. Designs for electricity & Street Light approved	YES		NO	
11. Gas Supply Charges Submitted to the Concerned Department	YES		NO	
12. The Local Govt/development authority has transferred the scheme in the revenue record	YES		NO	
13. The Local Govt/development authority, has transferred the Transfer Deed in the revenue record	YES		NO	
14. Scheme is being developed as per Sanctioned layout plan	YES		NO	
If not ,action is being taken as per law	YES		NO	

16.twenty five percent of mortgaged plots on hundred percent completion of water supply, sewerage and drainage works	YES		NO	
17.twenty five percent of mortgaged plots on hundred percent completion of road, bridge and footpath works;	YES		NO	
18.twenty five percent of mortgaged plots on hundred percent completion of electricity and streetlight net work;	YES		NO	
19.fifteen percent of mortgaged plots on hundred percent payment of gas charges; and	YES		NO	
20.ten percent of mortgaged plots on hundred percent completion of horticulture and solid waste management works	YES		NO	
21.Developer has installed Guide Maps In the Scheme.	YES		NO	
22.Welfare Society for Management & Maintenance of the Scheme is functioning	YES		NO	